

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 70386
Petitioner: HOLCIM (US) INC v. Respondent: FREMONT COUNTY BOARD OF EQUALIZATION	
ORDER ON STIPULATION	

THE PARTIES TO THIS ACTION entered into a Stipulation, which has been approved by the Board of Assessment Appeals. A copy of the Stipulation is attached and incorporated as a part of this decision.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:
 County Schedule No.: P071400+2
 Category: Valuation/Protest Appeal Property Type: Personal Property
2. Petitioner is protesting the 2017 actual value of the subject property.
3. The parties agreed that the 2017 actual value of the subject property should be reduced to:

Total Value: \$93,426,989
 (Reference Attached Stipulation)

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2017 actual value of the subject property, as set forth above.

The Fremont County Assessor is directed to change his/her records accordingly.

DATED AND MAILED this 22nd day of September 2017.

BOARD OF ASSESSMENT APPEALS

Diane M. DeVries

Diane M. DeVries

Debra A. Baumbach

Debra A. Baumbach

I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

Christine Fontenot

Christine Fontenot



<p>Board of Assessment Appeals State of Colorado 1313 Sherman Street, Room 315 Denver, CO 80203 Telephone: (303) 866-5820</p>	<p>2017 SEP 20 AM 8:04</p>
<p>HOLCIM (US) INC., Petitioner, v. FREMONT COUNTY BOARD OF EQUALIZATION, Respondent.</p>	<p>BOARD USE ONLY</p>
<p>Brenda L. Jackson Fremont County Attorney 615 Macon Ave., Suite 211 Canon City, CO 81212 719.276-7499 fax: 719.276-7497 Attorney Registration #15172</p>	<p>Docket Number: 70386 County Schedule No: 71400 71401 71403 TAX YEAR: 2017</p>
<p align="center">STIPULATION AND SETTLEMENT AGREEMENT REGARDING PERSONAL PROPERTY APPEAL</p>	

Petitioner and Respondent hereby enter into this Stipulation regarding the tax year 2017 valuation of the subject personal property, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

Petitioner and Respondent agree and stipulate as follows:

1. Assigned 2017 actual value for schedule number 71400: \$2,220,799
 Stipulated 2017 actual value for schedule number 71400: **\$1,596,677**

2. Assigned 2017 actual value for schedule number 71401: \$115,399,381
 Stipulated 2017 actual value for schedule number 71401: **\$80,490,504**

3. Assigned 2017 actual value for schedule number 71403: \$17,688,331
 Stipulated 2017 actual value for schedule number 71403: **\$11,339,808**

4. The valuations, as established in this Stipulation, shall be binding only with respect to tax year 2017.

5. Nothing provided herein shall preclude either party from asserting for tax year 2018 or future tax years that the reported assets (including the reported maintenance and repair projects) are or are not taxable. The parties will also not be precluded from asserting for tax year 2018 or future tax years that the actual value of the personal property should be determined in whole or in part by reference to the income or market approaches to valuation, or from asserting that functional or economic obsolescence does or does not exist or how those factors should be measured or determined.

6. Holcim will agree to provide, with its annual personal property declaration schedules each year, a list of all new capitalized assets and a list of any deletions or retirements from the asset lists, and a list of each new capitalized maintenance or repair project of \$100,000 or more that represents ten percent or more of the original cost of the repaired or maintained asset.

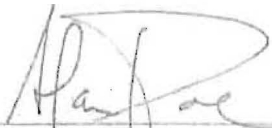
7. The parties agree that all tax years prior to tax year 2018 are closed for any refund/abatement claims or omitted property assessments with respect to business personal property.

8. The parties are agreeing to the actual values set forth in this Stipulation as a compromise of disputed issues, in order to avoid the necessity of further litigation with respect to those issues for tax year 2017. Neither party concedes any fact or legal issue involved in this appeal for future tax years, except as set forth herein.

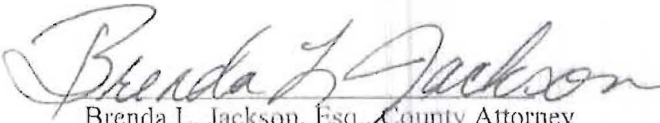
9. Except as set forth herein, the parties agree this Stipulation has no effect on the value to be assigned to the personal property for any future tax year.

10. This stipulation affects only the personal property on the schedule numbers listed herein. Real property and natural resource valuations are not a part of this stipulation.

DATED this 20 day of September, 2017.



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