

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 75499</b>
Petitioner: <b>AUSTRIA HAUS CONDO ASSOC INC</b>  v. Respondent: <b>EAGLE COUNTY BOARD OF EQUALIZATION</b>	
<b>ORDER ON STIPULATION</b>	

**THE PARTIES TO THIS ACTION** entered into a Stipulation, which has been accepted 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.: R048252+15**  
**Category: Valuation/Protest Appeal      Property Type: Residential**
2. Petitioner is protesting the 2019 actual value of the subject property.
3. The parties agreed that the 2019 actual value of the subject property should be reduced to:

**Total Value: \$33,260,660**  
(Reference Attached Stipulation)

4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2019 actual value of the subject property, as set forth above.

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

**DATED** this 30th day of October 2019.

**BOARD OF ASSESSMENT APPEALS**

*Diane M. DeVries*

\_\_\_\_\_  
Diane M. DeVries

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

*Debra A. Baumbach*

\_\_\_\_\_  
Debra A. Baumbach

*Yesenia Araujo*

\_\_\_\_\_  
Yesenia Araujo



BOARD OF ASSESSMENT APPEALS  
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Docket Number: 75499  
Schedule Numbers: R048252, R048253, R048254, R048255, R048256, R051778,  
R048257, R048258, R048259, R051779, R048260, R048261,  
R048262, R048263, R051780, R048264

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STIPULATION (As to Tax Year 2019 Actual Value)

**AUSTRIA HAUS CONDO ASSOCIATION INC.,**  
Petitioner,

vs.

**EAGLE COUNTY BOARD OF EQUALIZATION,**  
Respondent.

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Petitioner and Respondent (together, the "Parties") hereby enter into this Stipulation regarding the tax year 2019 valuation of the subject 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. The properties subject to this stipulation are the schedule numbers set forth in Exhibits A, B, and C to this Stipulation.
2. The subject properties are classified as **Residential**.
3. The County Assessor originally assigned the following actual value to the subject property for tax year 2019:

*See Exhibit A, attached hereto.*

4. After a timely appeal to the Board of County Equalization, the Board of Equalization valued the subject property as follows:

*See Exhibit B, attached hereto.*

5. After review and negotiation, Petitioner and County Board of County Equalization agree to the following tax year 2019 actual value for the subject property:

*See Exhibit C, attached hereto.*

6. Brief narrative as to why the reduction was made:

Petitioner and Eagle County agreed to the negotiated value prior to the Board of Assessment Appeals hearing.

7. The Parties expressly agree that the settled valuation established herein was accepted by the Parties for settlement purposes only, that they have resolved all disputes giving rise to the tax appeal and Petitioner expressly waives any right it may have to initiate a subsequent valuation protest or abatement petition for tax year 2019 or other action relating to the property or the tax appeal. The Parties further stipulate and agree that this Agreement does not constitute an admission of liability; that it does not constitute any factual or legal precedent whatsoever; and that it may not be used as evidence in any subsequent proceeding of any kind, except in an action alleging breach of this stipulation agreement.

8. The valuation, as established above, shall be carried forward and applied for tax year 2020 pursuant to C.R.S. § 39-1-104 (10.2) unless the Assessor determines that as of January 1, 2020, there is an unusual condition as defined in C.R.S. § 39-1-104 (11) that would require a change in said level of value. Taxpayer does not waive the right to contest any determination made by the Assessor with respect to an unusual condition under C.R.S. § 39-1-104 that would change said level of value.

9. A hearing has been scheduled before the Board of Assessment Appeals for the 18th of December at 8:30 a.m., and the parties request that the hearing be vacated based on the stipulation contained herein.

Dated this 10/29/2019

DocuSigned by:

*Bruce Cartwright*

Bruce Cartwright, Agent  
Duff & Phelps  
1200 17<sup>th</sup> Street, Ste 990  
Denver, CO 80202  
Bruce.Cartwright@duffandphelps.com  
(303) 749-9003 (Phone)

DocuSigned by:

*Katherine M. Parker*

Katherine M. Parker  
Assistant County Attorney and Attorney for  
the Board of Equalization  
PO Box 850  
Eagle, CO 81631  
[kathy.parker@eaglecounty.us](mailto:kathy.parker@eaglecounty.us)  
(970) 328-8685 (Phone)  
(970) 328-8699 (Fax)

**EXHIBIT A: ASSESSOR-ASSIGNED ACTUAL VALUE**

Schedule Number: R048252

Land	\$ 0.00
Improvements	\$ 2,779,980
Total	\$ 2,779,980

Schedule Number: R048253

Land	\$ 0.00
Improvements	\$ 1,905,560
Total	\$ 1,905,560

Schedule Number: R048254

Land	\$ 0.00
Improvements	\$ 1,995,010
Total	\$ 1,995,010

Schedule Number: R048255

Land	\$ 0.00
Improvements	\$ 1,997,090
Total	\$ 1,997,090

Schedule Number: R048256

Land	\$ 0.00
Improvements	\$ 2,420,550
Total	\$ 2,420,550

Schedule Number: R048257

Land	\$ 0.00
Improvements	\$ 2,779,980
Total	\$ 2,779,980

Schedule Number: R048258

Land	\$ 0.00
Improvements	\$ 1,905,560
Total	\$ 1,905,560

Schedule Number: R048259

Land	\$ 0.00
Improvements	\$ 1,995,010
Total	\$ 1,995,010

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## Schedule Number: R048260

Land	\$ 0.00
Improvements	\$ 1,895,690
Total	\$ 1,895,690

## Schedule Number: R048261

Land	\$ 0.00
Improvements	\$ 2,903,750
Total	\$ 2,903,750

## Schedule Number: R048262

Land	\$ 0.00
Improvements	\$ 2,712,720
Total	\$ 2,712,720

## Schedule Number: R048263

Land	\$ 0.00
Improvements	\$ 2,809,720
Total	\$ 2,809,720

## Schedule Number: R048264

Land	\$ 0.00
Improvements	\$ 2,718,660
Total	\$ 2,718,660

## Schedule Number: R051778

Land	\$ 0.00
Improvements	\$ 2,481,420
Total	\$ 2,481,420

## Schedule Number: R051779

Land	\$ 0.00
Improvements	\$ 1,997,090
Total	\$ 1,997,090

## Schedule Number: R051780

Land	\$ 0.00
Improvements	\$ 2,985,620
Total	\$ 2,985,620

**Total for all Schedule Numbers**      \$38,283,410

**EXHIBIT B: CBOE VALUES**

Schedule Number: R048252

Land	\$ 0.00
Improvements	\$ 2,779,980
Total	\$ 2,779,980

Schedule Number: R048253

Land	\$ 0.00
Improvements	\$ 1,905,560
Total	\$ 1,905,560

Schedule Number: R048254

Land	\$ 0.00
Improvements	\$ 1,995,010
Total	\$ 1,995,010

Schedule Number: R048255

Land	\$ 0.00
Improvements	\$ 1,997,090
Total	\$ 1,997,090

Schedule Number: R048256

Land	\$ 0.00
Improvements	\$ 2,420,550
Total	\$ 2,420,550

Schedule Number: R048257

Land	\$ 0.00
Improvements	\$ 2,779,980
Total	\$ 2,779,980

Schedule Number: R048258

Land	\$ 0.00
Improvements	\$ 1,905,560
Total	\$ 1,905,560

Schedule Number: R048259

Land	\$ 0.00
Improvements	\$ 1,995,010
Total	\$ 1,995,010

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## Schedule Number: R048260

Land	\$ 0.00
Improvements	\$ 1,895,690
Total	\$ 1,895,690

## Schedule Number: R048261

Land	\$ 0.00
Improvements	\$ 2,903,750
Total	\$ 2,903,750

## Schedule Number: R048262

Land	\$ 0.00
Improvements	\$ 2,712,720
Total	\$ 2,712,720

## Schedule Number: R048263

Land	\$ 0.00
Improvements	\$ 2,809,720
Total	\$ 2,809,720

## Schedule Number: R048264

Land	\$ 0.00
Improvements	\$ 2,718,660
Total	\$ 2,718,660

## Schedule Number: R051778

Land	\$ 0.00
Improvements	\$ 2,481,420
Total	\$ 2,481,420

## Schedule Number: R051779

Land	\$ 0.00
Improvements	\$ 1,997,090
Total	\$ 1,997,090

## Schedule Number: R051780

Land	\$ 0.00
Improvements	\$ 2,985,620
Total	\$ 2,985,620

**Total for all Schedule Numbers**     \$38,283,410



**EXHIBIT C: STIPULATED VALUES**

Schedule Number: R048252

Land	\$ 0.00
Improvements	\$ 2,493,780
Total	\$ 2,493,780

Schedule Number: R048253

Land	\$ 0.00
Improvements	\$ 1,575,610
Total	\$ 1,575,610

Schedule Number: R048254

Land	\$ 0.00
Improvements	\$ 1,654,630
Total	\$ 1,654,630

Schedule Number: R048255

Land	\$ 0.00
Improvements	\$ 1,654,630
Total	\$ 1,654,630

Schedule Number: R048256

Land	\$ 0.00
Improvements	\$ 2,411,290
Total	\$ 2,411,290

Schedule Number: R048257

Land	\$ 0.00
Improvements	\$ 2,493,780
Total	\$ 2,493,780

Schedule Number: R048258

Land	\$ 0.00
Improvements	\$ 1,575,610
Total	\$ 1,575,610

Schedule Number: R048259

Land	\$ 0.00
Improvements	\$ 1,654,630
Total	\$ 1,654,630

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## Schedule Number: R048260

Land	\$ 0.00
Improvements	\$ 1,568,880
Total	\$ 1,568,880

## Schedule Number: R048261

Land	\$ 0.00
Improvements	\$ 2,608,750
Total	\$ 2,608,750

## Schedule Number: R048262

Land	\$ 0.00
Improvements	\$ 2,311,580
Total	\$ 2,311,580

## Schedule Number: R048263

Land	\$ 0.00
Improvements	\$ 2,395,550
Total	\$ 2,395,550

## Schedule Number: R048264

Land	\$ 0.00
Improvements	\$ 2,316,830
Total	\$ 2,316,830

## Schedule Number: R051778

Land	\$ 0.00
Improvements	\$ 2,337,490
Total	\$ 2,337,490

## Schedule Number: R051779

Land	\$ 0.00
Improvements	\$ 1,654,630
Total	\$ 1,654,630

## Schedule Number: R051780

Land	\$ 0.00
Improvements	\$ 2,552,990
Total	\$ 2,552,990

**Total for all Schedule Numbers****\$33,260,660**