

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 75698
Petitioner: GASTHOF GRAMSHAMMER INC v. Respondent: EAGLE COUNTY BOARD OF EQUALIZATION	
ORDER ON STIPULATION	

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.: R047080
Category: Valuation/Protest Appeal Property Type: Mixed Use
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: \$19,500,000
(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 31st 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
STATE OF COLORADO

2019 OCT 31 AM 10:59

Docket Number: 75698
Single County Schedule Number: R047080

STIPULATION (As to Tax Year 2019 Actual Value)

Petitioner,

GASTHOF GRAMSHAMMER INC.

vs.

EAGLE COUNTY BOARD OF EQUALIZATION,

Respondent.

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 property subject to this stipulation is described as

Parcel No: 2101-082-10-008
Site Address: 231 E. Gore Creek Dr.
Legal: DESC: GASTHOF GRAMSHAMMER

2. The subject property is classified as: **mixed use (Commercial and Residential).**

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2019:

Residential Land	\$ 371,210.00
Residential Improvements	\$ 2,506,290.00
Commercial Land	\$ 1,303,400.00
Commercial Improvements	\$ 18,488,170.00
Total	\$ 22,669,070.00

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

Residential Land	\$ 371,210.00
Residential Improvements	\$ 2,506,290.00
Commercial Land	\$ 1,303,400.00

Commercial Improvements	\$ 18,488,170.00
Total	\$ 22,669,070.00

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:

Residential Land	\$ 371,210.00
Residential Improvements	\$ 2,506,290.00
Commercial Land	\$ 1,303,400.00
Commercial Improvements	\$ 15,319,100.00
Total	\$ 19,500,000.00

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 Parties expressly agree that the settlement 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 2020, 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, omission or wrongdoing of any kind by Eagle County and does not constitute any factual or legal precedent or admission whatsoever, but rather reflects the Parties' desire to resolve this matter amicably without additional expense or litigation. The Parties expressly agree that the settlement valuation contained herein, and the terms of this Agreement, may not be used by Gastof Gramshammer, Inc, its agents, successors or assigns, as evidence of actual value of the Property in any proceeding of any kind, including but not limited to any lawsuit, administrative tax appeal or protest, request for abatement of taxes or otherwise, except in an action seeking an interpretation or alleging a breach of this Agreement.

9. The Parties recognize that this Agreement may constitute a public record subject to disclosure under the provisions of the Colorado Open Records Act and that the settlement valuation may be revealed by Eagle County on Eagle County's web site and in the final assessment rolls. Notwithstanding the foregoing, Gastof Gramshammer, Inc., and its agents are prohibited from disclosing the contents and terms of this Agreement and/or from construing any underlying details as being representative of or having any relevance to Eagle County's position as to market rents or market capitalization rates, to any third party, except to Petitioner's

financial and tax advisers, or accountants, and shall otherwise maintain the contents of this Agreement and its terms confidential.

10. A hearing has been scheduled before the Board of Assessment Appeals for January 9, 2020 at 8:30 a.m. and the parties request that the hearing be vacated based on the stipulation contained herein.

Dated this 10-30-19.

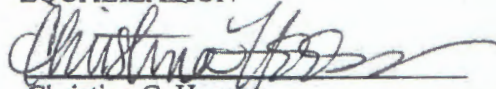
GASTHOF
GASTOF GRAMSHAMMER, INC.



Sheika E. Gramshammer

Title: Owner

EAGLE COUNTY BOARD OF
EQUALIZATION



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