

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>EDWARD A. & JANET W. AHLSTRAND,</p> <p>v.</p> <p>Respondent:</p> <p>EAGLE COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 46734</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on April 30, 2007, Sondra W. Mercier and MaryKay Kelley presiding. Petitioner Edward A. Ahlstrand appeared pro se. Respondent was represented by Bryan R. Treu, Esq. Petitioner protested the 2006 actual value of the subject property.

Exhibits and testimony from Docket No. 46733 referencing vacant land value were incorporated into this hearing.

PROPERTY DESCRIPTION:

The subject property is described as follows:

**783 Webb Peak, Edwards, Colorado
Eagle County Schedule No. 210720101003**

The subject property is a 2,997 square foot house built in 2001 on a 5.293 acre site in The Summit at Cordillera subdivision. Respondent assigned a value of \$1,840,340.00. Petitioner requested a value of \$1,525,340.00.

Petitioner did not present any comparable sales data.

Petitioner compared Respondent’s market approach to the one from the County Board of Equalization (“CBOE”) hearing. The Board made note of Petitioner’s objections to changes in

adjustments and to deletion of one of the comparable sales; however, an appraisal prepared for a CBOE hearing has no relevance in a de novo hearing at the Board of Assessment Appeals level.

Petitioner contended that damage to their driveway was not reflected in Respondent's appraisal and that adjustments of \$50,000.00 should have been applied to all comparable sales: \$30,800.00 for demolition (written estimate) and \$20,000.00 for installation (verbal estimate) of the driveway. Respondent considered the damage to be deferred maintenance and made no adjustment.

Based on the market approach, Respondent presented an indicated value of \$1,967,100.00 for the subject property. Respondent presented four comparable sales ranging in sales price from \$1,570,000.00 to \$2,250,000.00 and in size from 2,757 to 4,493 square feet. After adjustments were made, the sales ranged from \$1,896,748.00 to \$2,106,640.00.

Respondent based site adjustments on the location of comparable sales within The Summit, which is comprised of four neighborhoods described below. The subject property is located in the Webb Peak neighborhood. Comparable sales one, three, and four are located in the Central Summit neighborhood, and sale two is located in the Clustered neighborhood. The neighborhoods differ in lot sizes, elevations, and views. Adjustments in the market approach for site value reflected the difference between the subject property's site value, estimated at \$540,000.00, and the comparable sales' site values, based on the median sales price of vacant land in each respective neighborhood.

<u>Neighborhood</u>	<u>Average Lot Size</u>	<u>Median Sales Price During Base Period</u>
Clustered	less than one acre	\$157,500.00
Central Summit	1 to 3 acres	\$227,000.00
Upper Gore Trail	3 to 4 acres	\$327,000.00
Webb Peak	3 to 5 acres	\$537,500.00

The Board concluded to a contributory site value of \$475,000.00 for the subject property based on vacant land comparable sales presented under Docket 46733. *See* Order, BAA Docket No. 46733 (May 2007).

Recalculation of Respondent's comparable sales to reflect the adjusted site value for the subject property resulted in an adjusted range of \$1,831,748.00 to \$2,041,640.00. Further adjustment of \$50,000.00 for driveway damage resulted in an adjusted range of \$1,781,748.00 to \$1,991,640.00. Recalculation of Respondent's adjusted sales prices resulted in both bracketing and support of Respondent's assigned value.

Respondent presented sufficient probative evidence and testimony to prove that the subject property was correctly valued for tax year 2006.

ORDER:

The petition is denied.

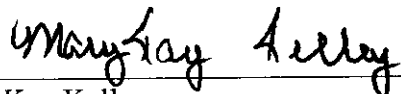
APPEAL:

Petitioner may petition the Court of Appeals for judicial review within 45 days from the date of this decision.

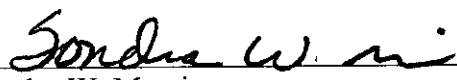
If Respondent alleges procedural errors or errors of law by this Board, Respondent may petition the Court of Appeals for judicial review within 30 days from the date of this decision.

DATED and MAILED this 5th day of June 2007.

BOARD OF ASSESSMENT APPEALS



MaryKay Kelley

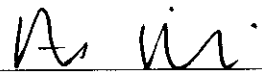


Sondra W. Mercier

This decision was put on the record

JUN 04 2007

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



Heather Heinlein

