

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>DANIEL & SUSAN MCANDREW,</p> <p>v.</p> <p>Respondent:</p> <p>ELBERT COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 48139</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on May 13, 2008, Karen E. Hart and Sondra W. Mercier presiding. Petitioner, Daniel McAndrew, appeared pro se. Respondent was represented by Mark Scheffel, Esq. Petitioners are protesting the 2007 actual value of the subject property.

PROPERTY DESCRIPTION:

Subject property is described as follows:

**45042 Stagecoach Road, Parker, Colorado
(Elbert County Schedule No. R104416 / Parcel No. 6515404004)**

The subject is a 2,059 square foot ranch home with a 1,136 square foot basement, on a 6.02 acre site located in the Smoky Hill Ranch Subdivision.

Petitioners contend that Elbert County Resolution 06-98 provides for the extension of East Parker Road past the subject property as part of the approval of the Spring Valley Ranch subdivision. Petitioners provided a letter from a local real estate agent that suggests a busy roadway would have a negative affect of 5 to 15 % on sales prices.

Petitioners are requesting a 2007 actual value of \$244,392.00 for the subject property.

Respondent presented an indicated value of \$287,520.00 for the subject property based on the market approach.

Respondent presented six comparable sales ranging in sales price from \$274,000.00 to \$390,000.00 and in size from 1,334 to 2,209 square feet. Adjustments were made for site size, age, condition, finished area and features. After adjustments were made, the sales ranged from \$272,373.00 to \$355,456.00. Respondent placed the greatest reliance on Sale 1, which is located within the same subdivision as the subject. Sale 1 indicated an adjusted sales price of \$288,082.00.

Respondent assigned an actual value of \$287,520.00 to the subject property for tax year 2007.

Respondent presented sufficient probative evidence and testimony to prove that the subject property was correctly valued for tax year 2007. Both Petitioners and Respondent agreed that Respondent's Sale 1 provided the best indication of market value for the subject. While the Board understands the potential impact of the proposed extension of East Parker Road on the value of the subject, Petitioners provided no specific sales data to support that this impact had occurred during the current valuation period. It is likely that any positive or negative impact of the proposed roadway will impact future sales data and be reflected by future valuations.

ORDER:

The petition is denied.

APPEAL:

If the decision of the Board is against Petitioner, Petitioner may petition the Court of Appeals for judicial review according to the Colorado appellate rules and the provisions of Colorado Revised Statutes ("CRS") section 24-4-106(11) (commenced by the filing of a notice of appeal with the Court of Appeals within forty-five days after the date of the service of the final order entered). Colo. Rev. Stat. § 39-8-108(2) (2007).

DATED and MAILED this 4th day of June 2008.

BOARD OF ASSESSMENT APPEALS

Karen E Hart

Karen E. Hart

Sondra W Mercier

Sondra W. Mercier

This decision was put on the record

JUN 04 2008

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

Heather Heinlein

Heather Heinlein

