

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>REGINALD T. JR. & LAURIE A. WEBER,</p> <p>v.</p> <p>Respondent:</p> <p>GRAND COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 48168</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on May 8, 2008, James R. Meurer and Sondra W. Mercier presiding. Petitioner, Reginald T. Weber, Jr., appeared pro se. Respondent was represented by Anthony J. DiCola, Esq. Petitioner is protesting the 2007 actual value of the subject property.

PROPERTY DESCRIPTION:

Subject property is described as follows:

**Wright Outright Exemption Lot 2, plat 9600-6042
(Grand County Schedule No. R084535)**

The subject is a 19.98 acre rectangular shaped parcel of vacant land. Access to the parcel is from Snow Ridge Drive via a perpetual non-exclusive easement, according to a Deed of Perpetual Easement recorded as 2001-007963. Access was unimproved as of the date of value. The property has a permit for one well, which was also not drilled as of the date of value. The subject is surrounded by residential subdivisions, including Pole Creek Timbers and the Fairways at Pole Creek.

Based on the market approach, Petitioner presented an indicated value of \$200,000.00 for the subject property.

Petitioner presented four comparable sales ranging in sales price from \$175,000.00 to \$242,767.00. The size of Schedule No. R116642 is unknown. A General Warranty Deed shown in Respondent's Exhibit 2 indicates that the transaction for Schedule No. R302795 represented the sale of only 1/6th of the total interest. Schedule Nos. R070464 & R070463 ranged in size from 37.53 to 40

acres. They are adjacent sites that were purchased at different times, but under the same ownership. The Board was convinced that these two parcels are in a remote portion of the county, with limited seasonal access. Petitioner made no adjustments to the sales.

Petitioner is requesting a 2007 actual value of \$200,000.00 for the subject property.

Based on the market approach, Respondent presented an indicated value of \$425,000.00 for the subject property.

Respondent presented six comparable sales ranging in sales price from \$239,000.00 to \$375,100.00 and in size from 8.151 to 13.79 acres. Respondent applied adjustments for the date of sale, size, incomplete access, views, and the lack of a well. After adjustments were made, the sales ranged from \$382,500.00 to \$486,100.00. The adjustment for access was based on interviews with the Grand County Road and Bridge department. The adjustment for the well was based on interviews with professionals in that field. Both of the adjustments for time and size were based on statistical analysis of sales data. The Board believed both were reliable adjustments.

Respondent assigned an actual value of \$416,220.00 to the subject property for tax year 2007.

Respondent presented sufficient probative evidence and testimony to prove that the tax year 2007 valuation of the subject property was correct. While it is possible that Respondent's adjustments for access and the drilling of a well might be understated, no evidence was provided by Petitioner supporting further adjustment.

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 6th day of June 2008.

BOARD OF ASSESSMENT APPEALS

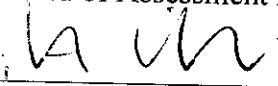

James R. Meurer


Sondra W. Mercier

This decision was put on the record

JUN 06 2008

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


Heather Heinlein

