

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>JOHN TRAVIS MORRISON,</p> <p>v.</p> <p>Respondent:</p> <p>GUNNISON COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 58048</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on January 20, 2012, Louesa Maricle and James R. Meurer presiding. Petitioner, Mr. John Morrison, appeared pro se. Respondent was represented by Arthur Trezise, Esq. Petitioner is protesting the 2011 actual value of the subject property.

Subject property is described as follows:

**Lot 10, The Summit Residential Filing No. 2
57 Summit Road, Mt. Crested Butte, CO
Gunnison County Schedule No. R031523**

The property consists of a vacant 0.37 acre residential lot located in the Summit Subdivision of Mt. Crested Butte. The topography of the lot is sloping and it is not a ski in/out parcel. The lot is serviced by central sewer and water and has electrical service available. All roads within the Subdivision are paved.

Petitioner is requesting an actual value of \$125,000 to \$170,000 for the subject property for tax year 2011. Respondent assigned a value of \$400,000 for the subject property for tax year 2011.

Mr. Morrison argued that the best indication of the value for the subject was the sale of Lot 40 located within the subject's Subdivision for \$205,000 in August of 2009. This sale was not used by Respondent. Mr. Morrison further argued that the time adjustment used by Respondent at 1.75% per month was not sufficient to reflect current market conditions. Mr. Morrison stated that the construction of a modular house on an adjacent lot and the bankruptcy of

the Nevada Ridge development to the north had a further negative impact on the value for the subject lot.

Respondent's witness, Mr. George Lickiss, a Certified Residential Appraiser with the Gunnison County Assessor's Office, presented four comparable sales to support his opinion of value. All of the sales were in the same or similar locations and sale prices ranged from \$675,000 to \$820,000 prior to adjustments and \$387,900 to \$418,500 subsequent to adjustments. Sale No. 1 and No. 2 occurred in 2007 and Sale No. 3 occurred in 2006. Significant adjustments to the sales consisted of sale date (time) and ski in/out capability. All four sales were given equal weight in arriving at a final value of \$400,000. Mr. Lickiss argued that the sale of Lot 40 was not used due to its lack of similarity to the subject, specifically slope and size, and that the influence of the Nevada Ridge development had been factored into the opinion of value.

After careful consideration of the testimony and exhibits presented at the hearing, the Board concludes that Petitioner's argument relative to the use of the sale of Lot 40 in the analysis to conclude the market value of the property is realistic and supportable. The Board agrees that Lot 40 is similar to the subject and is the most recent sale. Using Lot 40 and the three adjusted comparables provided by Respondent, the Board concludes to a market value of \$300,000 for the subject property for tax year 2011.

ORDER:

Respondent is ordered to reduce the 2011 actual value of the subject property to \$300,000.

The Gunnison County Assessor is directed to change their records accordingly.

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 Section 24-4-106(11), C.R.S. (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).

If the decision of the Board is against Respondent, Respondent, upon the recommendation of the Board that it either is a matter of statewide concern or has resulted in a significant decrease in the total valuation of the respondent county, may petition the Court of Appeals for judicial review according to the Colorado appellate rules and the provisions of Section 24-4-106(11), C.R.S. (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).

In addition, if the decision of the Board is against Respondent, Respondent may petition the Court of Appeals for judicial review of alleged procedural errors or errors of law within thirty days of such decision when Respondent alleges procedural errors or errors of law by the Board.

If the Board does not recommend its decision to be a matter of statewide concern or to have resulted in a significant decrease in the total valuation of the respondent county, Respondent may petition the Court of Appeals for judicial review of such questions within thirty days of such decision.


Section 39-8-108(2), C.R.S.

DATED and MAILED this 30th day of January, 2012.

BOARD OF ASSESSMENT APPEALS

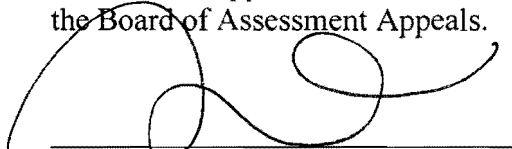


Louesa Maricle



James R. Meurer

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



Milla Crichton