2018 REAL PROPERTY NOTICE OF DETERMINATION

Gunnison County
COLORADO

Kristy McFarland
Gunnison County Assessor
221 N Wisconsin St, Suite A
Gunnison, CO 81230

Date of Notice: August 31, 2018
Phone: (970) 641-1085
Fax: (970) 641-7920
Email: assessor@gunnisoncounty.org
Website: http://www.gunnisoncounty.org/assessor.html

CBOE # 3

ACCOUNT NUMBER	TAX YEAR	TAX AREA	PARCEL NUMBER
R002182	2018	100	3787-021-04-016

PROPERTY OWNER	LEGAL DESCRIPTION
AVERY ENTERPRISES LLC 82 ROCKY RIVER LN GUNNISON, CO 81230-9612 AGENT: LEINSDORF, DAVID	LOTS 18-22 BLK 24 WEST GUNNISON PLUS N2 OF E/W ALLEY ADJT TO LOT 18 #643257

PROPERTY CLASSIFICATION	PROPERTY OWNER'S ESTIMATE OF VALUE	ASSESSOR'S VALUATION	
		ACTUAL VALUE PRIOR TO REVIEW	ACTUAL VALUE AFTER REVIEW
Commercial		380,020	380,020
TOTALS		$380,020	$380,020

The Assessor has carefully studied all the available information, giving particular attention to the specifics included on your protest. The Assessor's determination of value after review is based on the following:

The actual value of the property is determined by appropriate consideration of the approaches to appraisal set forth in § 39-1-103(5)(a), C.R.S.

Received
County Administration
9/10/18

If you disagree with the Assessor's decision, you have the right to appeal to the County Board of Equalization for further consideration, § 39-8-106(1)(a), C.R.S.

The deadline for filing real property and personal property appeals is September 15.

The Assessor establishes property values. The local taxing authorities (county, school district, city, fire protection, and other special districts) set mill levies. The mill levy requested by each taxing authority is based on a projected budget and the property tax revenue required to adequately fund the services it provides to its taxpayers. The local taxing authorities hold budget hearings in the fall. If you are concerned about mill levies, we recommend that you attend these budget hearings. Please refer to last year's tax bill or ask your Assessor for a listing of the local taxing authorities.

Please refer to the reverse side of this notice for additional information.

APPEAL PROCEDURES

County Board of Equalization Hearings will be held from September 1 through November 1 at Gunnison County Courthouse or Blackstock Government Center.

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To appeal the Assessor's decision, complete the Petition to the County Board of Equalization shown below, and mail or deliver a copy of both sides of this form to:

Gunnison County Board of Equalization
200 E Virginia Ave
Gunnison, CO 81230
(970) 641-0248

To preserve your appeal rights, your Petition to the County Board of Equalization must be postmarked or delivered on or before **September 15 for real property and personal property** – after such date, your right to appeal is lost. You may be required to prove that you filed a timely appeal; therefore, we recommend that all correspondence be mailed with proof of mailing.

You will be notified of the date and time scheduled for your hearing. The County Board of Equalization must mail a written decision to you within five business days following the date of the decision. The County Board of Equalization must conclude hearings and render decisions by November 1, § 39-8-107(2), C.R.S. If you do not receive a decision from the County Board of Equalization and you wish to continue your appeal, you must file an appeal with the Board of Assessment Appeals by December 8, § 39-2-125(1)(e), C.R.S.

If you are dissatisfied with the County Board of Equalization's decision and you wish to continue your appeal, you must appeal within 30 days of the date of the County Board's written decision to ONE of the following:

Board of Assessment Appeals
1313 Sherman Street, Room 315
Denver, CO 80203
(303) 866-5880
www.dola.colorado.gov/baa

District Court
Contact the District Court in the county where the property is located. See your local phone book for the address and telephone number.

Binding Arbitration
For information about binding arbitration, contact the County Board of Equalization at the address above.

If the date for filing any report, schedule, claim, tax return, statement, remittance, or other document falls upon a Saturday, Sunday, or legal holiday, it shall be deemed to have been timely filed if filed on the next business day, § 39-1-120(3), C.R.S.

PETITION TO COUNTY BOARD OF EQUALIZATION

What is your estimate of the property's value as of June 30, 2016? (Your opinion of value in terms of a specific dollar amount is required for real property pursuant to § 39-8-106(1.5), C.R.S.)

$255,000

What is the basis for your estimate of value or your reason for requesting a review? (Please attach additional sheets as necessary and any supporting documentation, i.e., comparable sales, rent roll, original installed cost, appraisal, etc.)

Please see attached letter from Attorney David Leinsdorf.

ATTESTATION

I, the undersigned owner or agent* of the property identified above, affirm that the statements contained herein and on any attachments hereto are true and complete.

Signature	Telephone Number	Date
[signature]	303-919-5155	9/10/18

*Attach letter of authorization signed by property owner.

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EXHIBIT A
Page 1 of 2

DAVID LEINSDORF

ATTORNEY AT LAW

P.O. BOX 187, 215 ELK AVENUE
CRESTED BUTTE, CO 81224-0187
EMAIL: david81224@gmail.com
TELEPHONE: (970) 349-6111

By Email and Courier

May 30, 2018

Ms. Kristy McFarland
Gunnison County Assessor
221 N Wisconsin, Suite A
Gunnison, CO 81230

Re: R002182
107 S. 12th Street
Gunnison, CO 81230

Dear Kristy,

Attached is an email from Zen Schwab, member of Avery Enterprises, LLC, authorizing me to protest the valuation of 107 S. 12th Street in Gunnison. Based on the information in this letter, I request that you reduce the Total Actual Value of this property to $255,000, the price paid for this property in an arms-length transaction in November, 2016.

Rix Rixford, of SLR Squared LLC, which sold the property to Avery Enterprises, LLC, provided me with the following information on May 30, 2018:

- He had a For Sale or For Rent signs on the building for two years prior to the sale to Avery Enterprises, LLC.
- During his ownership of the property, it was in terrible shape. Floors were crumbling, the electrical wiring was dangerous and the plumbing hardly worked.
- Rix Rixford characterized the property during the appraisal period as "in shambles."

The building adjacent to the subject property, 115 S. 12th, another 70+ year old building with Fair Quality of Construction and Below Average Exterior Condition, is valued at $31.63 per square foot. The subject building is valued at $88.24 per square foot. If we applied $31.63 per square foot to the subject

property, the Building Value would be reduced to $91,632 and the Total Actual Value would be $127,702, one third of the current Total Actual Value of $380,020.

Since the property, according to the prior owner, was "in shambles" during the reappraisal period, there can be no reasonable basis for valuing the property 49% above the arms-length sale price. Accordingly, our requested Total Actual Value of $255,000 is more than fair and reasonable.

Thank you for your consideration.

David Leinsdorf

Enclosure: Authorization email

Cc: Zen Schwab

CBOE # 3

EXHIBIT A
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property, the Building Value w
Value would be $127,702, one
$380,020.

Since the property, according
reappraisal period, there can
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Value of $255,000 is more tha

Thank you for your considera

David Leinsdorf

Enclosure: Authorization em

Cc: Zen Schwab

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Avery Enterprises
82 Rocky River Lane
Gunnison, CO 81230

County Board of Equalization
200 E. Virginia Ave.
Gunnison, CO 81230

Gmail

David Leinsdorf <david81224@gmail.com>

12th St

Zen Schwab <zen@rmrestore.com>
To: david81224@gmail.com

Tue, May 29, 2018 at 3:29 PM

David,

This email is to authorize the protest of the valuation of 107 S. 12th St., Gunnison CO 81230.

Please let me know if you are available to discuss tomorrow (Wednesday, the 30th) between 1:00-2:30 and then after 4:00.

Thank you.

Rocky Mountain Restoration

Zen Schwab
General Manager

(Direct) 303 919 5155
(Fax) 970-449-7169
zen@rmrestore.com
www.rmrestore.com

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