CBOE # 8

2019 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 15, 2019
Phone: (970) 641-1085
Fax: (970) 641-7920
Email: assessor@gunnisoncounty.org
Website: http://www.gunnisoncounty.org/assessor.html

ACCOUNT NUMBER	TAX YEAR	TAX AREA	PARCEL NUMBER
R003488	2019	200	3255-031-08-016

AGENT	LEGAL DESCRIPTION
LEINSDORF, DAVID PO BOX 187 CRESTED BUTTE, CO 812240187 OWNER: YOUNG MALCOLM D JR	S2 OF LOTS 31-32 BLK 14 CRESTED BUTTE #491332

PROPERTY CLASSIFICATION	PROPERTY OWNER'S ESTIMATE OF VALUE	ASSESSOR'S VALUATION	
		ACTUAL VALUE PRIOR TO REVIEW	ACTUAL VALUE AFTER REVIEW
Residential		910,740	803,160
TOTALS		$910,740	$803,160

Received
County Administration
8/29/19

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.

Value adjusted based on sales of most comparable properties. Busy Street attribute added.

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.

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APPEAL PROCEDURES

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

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, 2018? (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.)

$ 618,389

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.)

See attached letter.

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 | (970) 349-6111 Telephone Number | August 28, 2019 Date

*Attach letter of authorization signed by property owner.

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EXHIBIT A
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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: FedEx

August 28, 2019

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

Re: 429 Maroon Avenue,
Crested Butte, CO
Account R003488

Dear Jonathan, John and Roland,

I appreciate William Spicer's responsiveness in addressing issues that I have raised regarding the Real Property Notice of Determination. However, the $803,160 Actual Value is based on at least two mistakes in the Assessor's 2019 Reappraisal Sales Documentation.

First. The building at the subject property, 429 Maroon, is valued 38% higher per square foot than at 214 Teocalli (R003087), both of which are in the northwest quadrant of the Town of Crested Butte. A comparison shows a remarkable similarity between both buildings, except for the Building Actual Value per square foot.

	214 Teocalli	**429 Maroon**
Original Year Built	1940	1885
Effective Year Built	1964	1952
Quality of Construction	Fair	Fair
Exterior Condition	Average	Average
Concrete Foundation	Yes (needs repair)	No
Views	Yes	No
Building Actual Value	$752,300	$663,340
Above Grade Living Area	2,756	1,753
Building Actual Value/sf	**$273**	**$378**

Applying $273 per square foot to the 1,753 square feet of 429 Maroon yields a Building Actual Value of $478,569. Adding in the $139,820 Land Actual Value yields a Total Actual Value of $618,389.

Relying on faulty information in the 2019 Reappraisal Sales Documentation shown below the Assessor responded to the foregoing comparison with the following statement:

> *The sale that you cite below, 214 Teocalli, is a duplex. Our analysis indicates that in Crested Butte duplexes sell for 25% less per square foot than comparable single family properties.*

214 Teocalli is not a duplex. Rather, it has a small rental apartment for caretakers that, if anything, adds to the per square foot value of the property, especially for an out of town owner. It is not a detriment.

Account #: R003087	Address:	214 TEOCALLI AVE, CRESTED BUTTE	
	Legal:	N 65' LOTS 9-10 N 60' LOTS 11-12 BLK 9 CRESTED BUTTE	
Sale Date:	25-Jun-18	# of Improvements	1
Adjusted Sale Price:	$840,000	**Square Footage:**	
Time-adjusted Sale Price:	$840,000	Living Area:	2,756
Construction Quality:	Fair	Finished Basement:	0
Building Condition:	Average	Unfinished Basement:	0
Architectural Style:	DUPLEX	Garage:	0
Effective Year Built:	1964		

Second. The second misconception pertains to 103 Gothic (R003074).

On April 16, 2018, 103 Gothic sold for $836,482. However, the Assessor allocated all of the sale price to the 995 square feet of the Living Area because no value was allocated to the garages (photo attached), according the Assessor's 2019 Reappraisal Sales Documentation:

Account #: R003074	Address:	103 GOTHIC AVE, CRESTED BUTTE	
	Legal:	LOTS 17-18 BLK 8 CRESTED BUTTE	
Sale Date:	16-Apr-18	# of Improvements	1
Adjusted Sale Price:	$820,000	**Square Footage:**	
Time-adjusted Sale Price:	$836,482	Living Area:	995
Construction Quality:	Fair	Finished Basement:	0
Building Condition:	Below Average	Unfinished Basement:	0
Architectural Style:	CONVENTIONAL	Garage:	0
Effective Year Built:	1951		

The garages, obviously in good condition, add significant value to the property in a town with an average snowfall of 225 inches each winter (and sometime much more). The three garages have approximately 700 square feet of floor area. Adding 25% of 700 square feet to 103 Gothic's 995 square feet increases the square footage of the improvements by 17.6%, which should result in a corresponding reduction in per square foot value.

Conclusion. A principle goal of the County Assessor and a mission of the County Board of Equalization are to ensure that similar properties are treated fairly and equally. The foregoing data demonstrate that 429 Maroon Avenue must receive a significantly lower Building Actual Value to accomplish fairness and equalization. Please reduce Total Actual Value to $618,389.

Many thanks for your consideration.

Sincerely,

David Leinsdorf

Enclosures: Petition
Photo
Authorization

Cc: Malcolm D. Young Jr. w/ enclosures

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IMG_1854.jpg

EXHIBIT B
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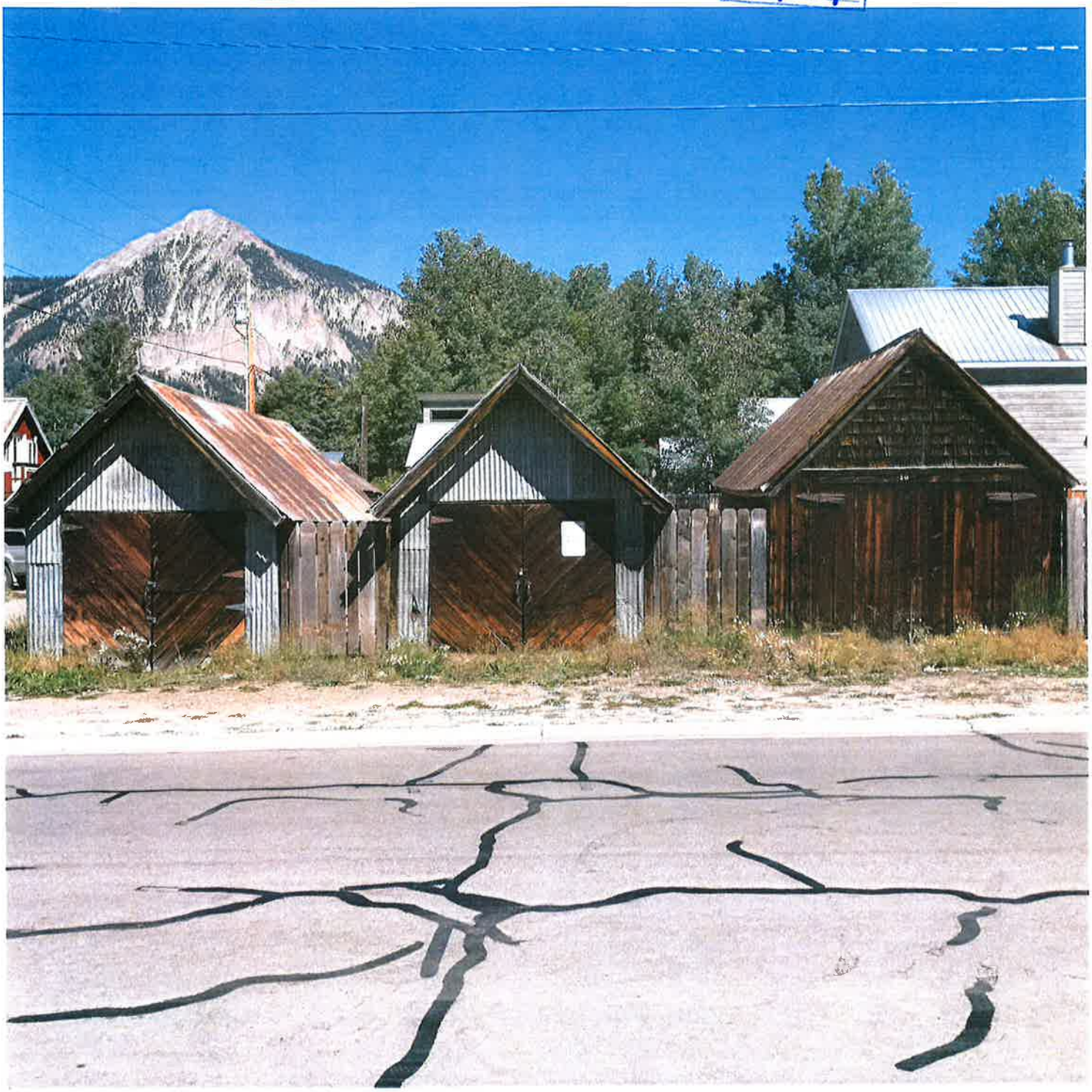

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EXHIBIT C
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Gmail

David Leinsdorf <david81224@gmail.com>

429 Maroon Avenue

Young, Mac <MYOUNG@sgrlaw.com> Wed, May 8, 2019 at 1:04 PM
To: David Leinsdorf <david81224@gmail.com>

You are authorized to represent me in filing a protest to the valuation on 429 Maroon Ave, Crested Butte, CO.
Malcolm Young

Malcolm D. Young Jr.

Attorney at Law

p | 404-815-3774
f | 404-685-7074
e | myoung@sgrlaw.com
Promenade, Suite 3100 | 1230 Peachtree St. N.E. | Atlanta, GA 30309
www.sgrlaw.com | My Bio | vCard

SGR
SMITH, GAMBRELL & RUSSELL, LLP
Attorneys at Law

From: David Leinsdorf <david81224@gmail.com>
Sent: Wednesday, May 08, 2019 1:05 PM
To: Young, Mac <MYOUNG@sgrlaw.com>
Subject: 429 Maroon Avenue

CAUTION: This email is from an external source. Do not click links or attachments unless it's from a verified sender.

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FedEx Tracking Number 8148 7440 8405

Form ID No. 0215

Recipient's Copy

1 From

Date 8/28/19

Sender's Name

Phone 970 349-6111

Company LEINSDORF, DAVID, ATTORNEY

Address 315 ELK AVE

Dept./Floor/Suite/Room

City CRESTED BUTTE State CO ZIP 81224-

2 Your Internal Billing Reference

3 To

Recipient's Name County Board of

Phone 970 641-0248

Company Equalization

Address 200 E. Virginia

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Dept./Floor/Suite/Room

Address 2nd Floor SW corner

Use this line for the HOLD location address or for continuation of your shipping address.

City Gunnison State CO ZIP 81230

Hold Weekday — FedEx location address REQUIRED. NOT available for FedEx First Overnight.

Hold Saturday — FedEx location address REQUIRED. Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.

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4 Express Package Service * To most locations.

Packages up to 150 lbs. For packages over 150 lbs., use the FedEx Express Freight US Airbill.

Next Business Day

- ☐ FedEx First Overnight — Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless Saturday Delivery is selected.
- ☐ FedEx Priority Overnight — Next business morning.* Friday shipments will be delivered on Monday unless Saturday Delivery is selected.
- ☐ FedEx Standard Overnight — Next business afternoon.* Saturday Delivery NOT available.

2 or 3 Business Days

- ☐ FedEx 2Day A.M. — Second business morning.* Saturday Delivery NOT available.
- ☐ FedEx 2Day — Second business afternoon.* Thursday shipments will be delivered on Monday unless Saturday Delivery is selected.
- ☒ FedEx Express Saver — Third business day.* Saturday Delivery NOT available.

5 Packaging * Declared value limit $500.

☒ FedEx Envelope* ☐ FedEx Pak* ☐ FedEx Box ☐ FedEx Tube ☐ Other

6 Special Handling and Delivery Signature Options Fees may apply. See the FedEx Service Guide.

☐ Saturday Delivery — NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

☒ No Signature Required — Package may be left without obtaining a signature for delivery.

☐ Direct Signature — Someone at recipient's address may sign for delivery.

☐ Indirect Signature — If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only.

Does this shipment contain dangerous goods?

One box must be checked.

☒ No ☐ Yes — As per attached Shipper's Declaration. ☐ Yes — Shipper's Declaration not required. ☐ Dry Ice — Dry ice, 9, UN 1845 ____ x ____ kg

☐ Cargo Aircraft Only

Restrictions apply for dangerous goods — see the current FedEx Service Guide.

7 Payment *Bill to:*

Enter FedEx Acct. No. or Credit Card No. below.

Obtain recip. Acct. No. ☐

☒ Sender — Acct. No. in Section 1 will be billed. ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check

Total Packages ____ Total Weight ____ lbs. Credit Card Auth. ____

†Our liability is limited to US$100 unless you declare a higher value. See the current FedEx Service Guide for details.

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