Received
County Administration
7/17/2013

CBOE # 91

2013 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: June 25, 2013
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
R003316	2013	200	3255-031-75-002

AGENT	LEGAL DESCRIPTION
HUCKSTEP, AARON PO BOX 2958 223 ELK AVE UNIT 202B CRESTED BUTTE, CO 81224-2958 OWNER: BETTER TO SKI LLC	LOTS 13-14 BLK 25 CRESTED BUTTE #604229

PROPERTY CLASSIFICATION	PROPERTY OWNER'S ESTIMATE OF VALUE	ASSESSOR'S VALUATION	
		ACTUAL VALUE PRIOR TO REVIEW	ACTUAL VALUE AFTER REVIEW
Commercial		519,110	519,110
Residential		306,650	306,650
TOTALS		$825,760	$825,760

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.

Commercial property valuations are directly compared to commercial sales. Residential property valuations are directly compared to residential sales. Mixed Use property valuations (that are a mix of Commercial and Residential classifications) are compared to commercial sales for the Commercial classification and residential sales for the Residential classification. Analyses of Mixed Use sales (that are a mix of Commercial and Residential classifications) often indicates a reduction in value for the residential portions of these types of properties.

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 appeals is July 15.
The deadline for filing personal property appeals is July 20.

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 July 1 through August 5 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 **July 15 for real property** and on or before **July 20 for 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 August 5, § 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 September 12, § 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 a list of arbitrators, contact the County Commissioners at the address listed for the County Board of Equalization.

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, 2012? (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.)

$ 339,858

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 the attached letter for the basis of this estimate

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]	970-349-2009	7/15/13

*Attach letter of authorization signed by property owner.

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EXHIBIT A
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HUCKSTEP LAW LLC
Business • Real Estate • Land Use

P: 970-349-2009 • F: 970-797-1023
www.hucksteplaw.com • info@hucksteplaw.com
P.O. Box 2958 • 223 Elk Avenue, Unit 202B • Crested Butte, CO 81224

July 15, 2013

VIA CERTIFIED MAIL

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

RE: ACCOUNT R003316/PARCEL 3255-031-75-002

To Whom it May Concern:

This office is in receipt of the 2013 Real Property Notice of Determination dated June 25, 2013 (the "NOD") for the above-referenced Account and Parcel number. The Parcel is legally identified as Lots 13-14, Block 25, Town of Crested Butte, and is located at 506 Elk Avenue (the "Property"). The Property is a mixed-use property including both residential and commercial uses. Your office indicates that the Property was built in 1925.

The NOD indicates that there was no adjustment to the Property's combined actual value for tax year 2013. The Actual Value increased nearly 20% from tax year 2012 to tax year 2013.

Historical sales between January 1, 2011, and June 30, 2012, support a significantly reduced Actual Value for the Property. Using the Market Approach to review the Actual Value, I have identified two sales of commercial, residential or mixed-use real property in close proximity to the Property that support a valuation of $363,310. These comparable sales are identified below:

Comparable No.	Date Sold	Property Address	Sales Price	Square Feet	Time Adjusted Sales Price per Square Foot	Account No.	Use Class
1	8/3/2011	615 Teocalli	1,300,000.00	8,271	149.00	R002784	Mixed
2	10/21/2011	325 Belleview	600,000.00	3,560	168.00	R003433	Mixed

All of the information set forth above was obtained from the Gunnison County Assessor's website. It is important to note that the Construction Quality and Existing Condition of Comparable #1 is Average, while the subject property has Fair Construction Quality and Average Existing Condition. For Comparable #2, Construction Quality is Fair and Existing Condition is Average, perfectly matching the subject property. It is also important to note that the Effective Year Built for the Property is 1925, indicating that the Property is much older than Comparables #1 and #2.

Setting aside the fact that the Property is in worse condition that Comparable #1 and is substantially older than both Comparables #1 and #2, the average sales price per-square-foot for Comparables #1 and #2 is $158.00. This is substantially below the per-square-foot valuation of $383.90 set forth above.

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EXHIBIT A
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Please note that the subject Property contains a total of 2,151 square feet. The commercial square footage totals 1,383 square feet, while the residential totals 768 square feet. It is classified as a mixed use property.

Using the average sales price per-square foot of $158.00, a more appropriate valuation of the Property is $339,858.00. On behalf of the Owner, I respectfully request that the Gunnison County Assessor's Office revise the NOV to reflect an actual value that is reflective of the market for the Property, at $339,858.

Please do not hesitate to contact me regarding this information. I look forward to receiving your response.

Sincerely yours,

HUCKSTEP LAW, LLC

Aaron J. Huckstep

HUCKSTEP LAW LLC

Business • Real Estate • Land Use

P.O. Box 2958 Crested Butte, CO 81224

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CBOE # 91

RETURN RECEIPT REQUESTED

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

1st NOTICE
2nd NOTICE
RETURNED

81230$2248 C001