Received
County Adminstration
7/16/13

CBOE #42

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
R032040	2013	100	3701-360-05-005

PROPERTY OWNER	LEGAL DESCRIPTION
G M WORSLEY INC PO BOX 10640 PRESCOTT, AZ 86304-0640	UNIT 5 GUNNISON MOUNTAIN MEADOWS MALL #555041 #555192

PROPERTY CLASSIFICATION	PROPERTY OWNER'S ESTIMATE OF VALUE	ASSESSOR'S VALUATION: ACTUAL VALUE PRIOR TO REVIEW	ASSESSOR'S VALUATION: ACTUAL VALUE AFTER REVIEW
Commercial		184,640	184,640
TOTALS		$184,640	$184,640

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 condominium time-adjusted sale price per SQ FT ranges from $79 - $247

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.

CBOE # 4

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.)

$129,258

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

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.

Thomas E Devaney
Attorney for Petitioner
Attorney Reg. # 9686

303-813-1111
Telephone

7-15-13
Number Date

signed by property owner.

CBOE #57-03 EXHIBIT A Page 1 of 1

DOWNEY & ASSOCIATES, PC
A PROFESSIONAL CORPORATION

303 813-1111

July 15, 2013

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Gunnison County Board of Equalization
200 E. Virginia Avenue
Gunnison, CO 81230

Re: Property Tax Protests

Dear Clerk to the Board:

Enclosed please find for filing the following tax protests for Gunnison County:

1. 217 Elk Avenue, Gunnison, CO
   Account No. R003172

2. 720-730 N. Main Street, Gunnison, CO
   Account No. R024535
   Account No. R032037
   Account No. R032038
   Account No. R032039
   Account No. R032040
   Account No. R032041

Please contact our office if you have any questions concerning these Protests.

Very truly yours,

Marian Brennan

Marian Brennan

Enclosures

383 Inverness Parkway ▫ Suite 300 ▫ Englewood, Colorado 80112 ▫ fax 303 813-1122
www.downeylawpc.com ▫ www.coloradopropertytaxattorney.com

CBOE #58-13

EXHIBIT B
Page 1 of 1

DOWNEY & ASSOCIATES, PC
A PROFESSIONAL CORPORATION

303 813-1111

July 15, 2013

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED
Gunnison County Board of Equalization
200 E. Virginia Avenue
Gunnison, CO 81230

Re: Unit 1 – Gunnison Mountain Meadows Mall – R024535
Unit 2 – Gunnison Mountain Meadows Mall – R032037
Unit 3 – Gunnison Mountain Meadows Mall – R032038
Unit 4 – Gunnison Mountain Meadows Mall – R032039
Unit 5 – Gunnison Mountain Meadows Mall – R032040
Unit 6 – Gunnison Mountain Meadows Mall – R032041

Dear Clerk to the Board:

We represent the owner of the above referenced real property ("Subject Property") in Gunnison County. Enclosed are the Petitions to the Board of Equalization protesting the denial, or inadequate adjustment, by the Gunnison County Assessor.

I will not be available for hearing on July 22, July 25, July 29 and August 5, 2013.

Please direct the Notice of Hearing on this matter to the undersigned.

Petitioner, pursuant to C.R.S.§ 39-8-107(3), respectfully requests that the Assessor provide all data supporting the assessor's determination of actual value on these parcels to the undersigned no later than two working days prior to the CBOE hearing.

Thank you for your cooperation in this regard. Should you have questions, please call.

Very truly yours,

Thomas E. Downey, Jr.

TED/ss
Enclosure

cc: Mr. Greg M. Worsley

CBOE # 42 EXHIBIT C Page 1 of 2

EXHIBIT "A"

ATTACHMENT TO COUNTY BOARD OF EQUALIZATION PETITION OF G M WORSLEY INC ACCOUNT NOS. R024535, R032037, R032038, R032039, R032040, R032041

1. The Assessor has failed to give appropriate consideration to all the requisite approaches to valuation in determining the value of the property.

2. The current year actual value assigned by the assessor does not reflect the actual value of the subject property during the 18 month period ending June 30, 2012.

3. Upon consideration of all the approaches to value, values given to comparable land and improvements and upon consideration of the requirements of Colorado law that require that assessments be uniform, just and equitable, a reduction in the current year actual value of this property is warranted.

4. This Gunnison County project was built in 1995 and consists of six parcels of retail improvements only.

5. **Account No. R024535** consists of 1,428 sq. ft. The 2013 actual value of $175,430 which represents an increase of 36.5% over the 2012 value of $128,520 is excessive and should be reduced. The increased value is not supported by comparable sales data or the actual income performance of the property. The actual income supports a value of $86 per sq. ft. **Petitioner respectfully requests the value of this parcel be reduced to $122,808.**

6. **Account No. R032037** consists of 1,503 sq. ft. The 2013 actual value of $184,640 which represents an increase of 36.5% over the 2012 value of $135,270 is excessive and should be reduced. The increased value is not supported by comparable sales data or the actual income performance of the property. The actual income supports a value of $86 per sq. ft. **Petitioner respectfully requests the value of this parcel be reduced to $129,258.**

7. **Account No. R032038** consists of 1,515 sq. ft. The 2013 actual value of $164,640 which represents an increase of 34% over the 2012 value of $122,720 is excessive and should be reduced. The increased value is not supported by comparable sales data or the actual income performance of the property. The actual income supports a value of $86 per sq. ft. **Petitioner respectfully requests the value of this parcel be reduced to $130,290.**

8. **Account No. R032039** consists of 1,515 sq. ft. The 2013 actual value of $186,120 which represents an increase of 36.5% over the 2012 value of $136,350 is excessive and should be reduced. The increased value is not supported by comparable sales data or the actual income performance of the property. The actual income supports a value of $86 per sq. ft. **Petitioner respectfully requests the value of this parcel be reduced to $130,290.**

9. **Account No. R032040** consists of 1,503 sq. ft. The 2013 actual value of $184,640 which represents an increase of 36.5% over the 2012 value of $135,270 is excessive and should be reduced. The increased value is not supported by comparable sales data or the actual income performance of the property. The actual income supports a value of $86 per sq. ft. **Petitioner respectfully requests the value of this parcel be reduced to $129,258.**

10. **Account No. R032041** consists of 1,484 sq. ft. The 2013 actual value assigned to the property was $210,360. Although this value indicates a reduction from the 2012 value, we believe further adjustment is warranted due to the fact that the 2013 value is still not supported by the comparable sales data or the actual income performance of the property. The actual income supports a value of $86 per sq. ft. **Petitioner respectfully requests the value of this parcel be reduced to $127,624.**

11. Pursuant to C.R.S. § 39-8-107(3), Petitioner requests that the Assessor supply all data supporting the Assessor's determination of actual value to the undersigned no later than two working days prior to the CBOE hearing.

CERTIFIED MAIL™

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UNITED STATES POSTAL SERVICE

1000

81230

U.S. POSTAGE
PAID
ENGLEWOOD.CO
80112
JUL 15, '13
AMOUNT

$7.57

00094984-12

DOWNEY & ASSOCIATES
A Professional Corporation / Attorneys at Law
383 Inverness Parkway, Suite 300
Englewood, CO 80112

CBOE #57-63

Gunnison County Board of Equalization
200 Virginia Avenue
Gunnison, Colorado 81230