Received
County Adminstration
7/12/13

CBOE #92

Gunnison County
COLORADO

2013 REAL PROPERTY NOTICE OF DETERMINATION

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
R045090	2013	200	3255-031-36-029

AGENT	LEGAL DESCRIPTION
HUCKSTEP, AARON PO BOX 2958 223 ELK AVE UNIT 202B CRESTED BUTTE, CO 81224-2958 OWNER: FOUR SQUARED LLC	UNIT 202 MOORE BEER GARDENS CONDOS PLAT #581523

PROPERTY CLASSIFICATION	PROPERTY OWNER'S ESTIMATE OF VALUE	ASSESSOR'S VALUATION	
		ACTUAL VALUE PRIOR TO REVIEW	ACTUAL VALUE AFTER REVIEW
Commercial		424,510	386,630
TOTALS		$424,510	$386,630

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.

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.)

$ 212,386

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 explaining the basis for the estimate of value.

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
	970-349-2009	7/15/13

*Attach letter of authorization signed by property owner.

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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

EXHIBIT A
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July 15, 2013

VIA CERTIFIED MAIL

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

RE: ACCOUNT R045090/PARCEL 3255-031-36-029

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 Unit 202, Moore Beer Gardens Condominiums, and is located at 223 Elk Avenue (the "Property").

The NOD indicates that the Property's actual value for tax year 2013 was decreased by $37,880. After this adjustment, the Actual Value increased over 86% from tax year 2012 to tax year 2013.

Historical sales between March 2009, 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 five sales of commercial or mixed-use real property in close proximity to the Property that support a valuation of $212,386. Two of these comparable sales are within the same Elk Avenue block as the Property. 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	1,400,000.00	8,271	149.00	R002784	Mixed
2	8/15/2011	229 Elk	766,700.00	4,184	174.00	R003174	Commercial/Retail
3	3/4/09	322 Elk	550,000	1,472	329.00	R003342	Commercial/Office
4	7/14/09	226 Elk	1,615,000	6,782	210.00	R003197	Commercial/Retail
5	10/21/11	325 Belleview	600,000	3,560	168.00	R003433	Commercial/Office

All of the information set forth above was obtained from the Gunnison County Assessor's website.

Please note that the subject Property is 1,031 square feet. It is classified as purely commercial use, versus mixed use.

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The average sales price per square foot for the comparable properties is just $206.00. Applying this average sales price per square foot to the subject Property results in an actual value of just $212,386.00.

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 $212,386.

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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RETURN RECEIPT
REQUESTED

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

1st NOTICE
2nd NOTICE
RETURNED

81230$2248 C001