Received
County Adminstration
7/16/13

CBOE # 3

EXHIBIT C
Page 1 of 1

Bobbie Lucero

From: Todd Wiseman <toddwiseman@gmail.com>
Sent: Saturday, July 06, 2013 4:59 PM
To: Assessor; Bobbie Lucero
Subject: R040025 Protest - Hearing Documentation and Request for Evidence
Attachments: Summit PLAT.pdf; PLAT Note Magnified.png; MLS Points.pdf; Summit Assessor Notes.png; Summit Drive (CBOE).doc

Follow Up Flag: Follow up
Flag Status: Flagged

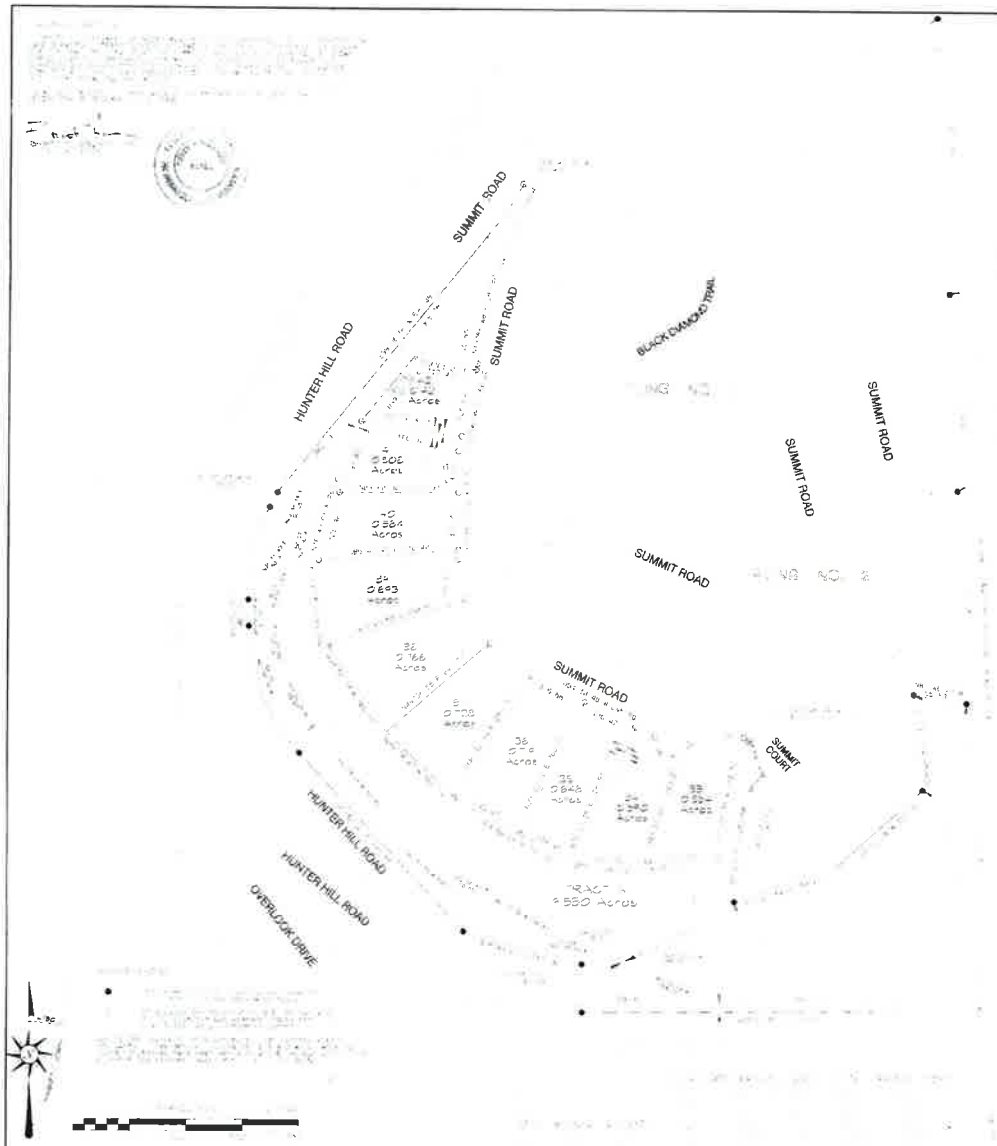
Assessor's Office and Bobbie -
Kindly find attached my evidence for the CBOE hearing on July 22nd. Please get back to me if this form of delivery is unacceptable for your purposes. Also, consider this my request for your evidence supporting valuation that you will be bringing to the CBOE hearing. This should be provided via email at toddwiseman@gmail.com.

As mentioned previously Bobbie, I am requesting a phone conference. Please be in touch with me so we can set that up.

Thanks,
Todd

THE SUMMIT
RESIDENTIAL FILING NO. 3

A REPLAT OF LOT 39 AND OPEN SPACE NO. 1 OF THE SUMMIT FILING NO. 1
TOGETHER WITH PORTIONS OF THE EAST 1/2 OF THE SOUTHEAST 1/4,
SECTION 26, TOWNSHIP 13 SOUTH, RANGE 86 WEST, 6th PRINCIPAL MERIDIAN
TOWN OF MT. CRESTED BUTTE, GUNNISON COUNTY, COLORADO



PREPARED BY
ROCKY MOUNTAIN LAND SURVEYING INC
33 DAVIS RANCH RD BUILDING 2 SUITE 2C
PO BOX 3339 CRESTED BUTTE COLORADO 81225-3339
970 728-8136 970 728-5251 fax
DECEMBER 2 1998 SCALE 1" = 20'

4th December
Christine M. Smith

4 Dec
1-10-2001
Natalie C. Ormsby

Clerk & Recorder County

488271 12/08/1998 05:00P 395
1 of 1 R 0.00 D 0.00 N 0.00 Gunnison County

EXHIBIT P
Page 1 of 1

CBOE # 3

TTE SHALL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE
AIL AND SHALL HOLD HARMLESS THE PROPERTY OWNER, ITS AGENTS, OF
OM ANY AND ALL CLAIMS AND ACTIONS RESULTING FROM THE USE AND
S OCCURRING WITHIN SAID EASEMENT.

ESTRICTIONS:
EWAY SHALL EXCEED 10% AS REQUIRED BY THE TOWN OF MT. CRESTED
UNICIPAL CODE. ALL DRIVEWAYS LOCATED IN AREAS WHERE EXISTING
EXCEED 10% MUST BE DESIGNED AND ENGINEERED SO THAT CONSTRUCTED
YS WILL NOT EXCEED THE 10% MAXIMUM ALLOWED BY LAW.
EWAYS WILL BE ALLOWED TO ACCESS HUNTER HILL ROAD.
CONTAINS GRADES NOT ADEQUATE TO ACCOMODATE A CONVENTIONAL
DRIVEWAY AND WILL REQUIRE SITE SPECIFIC ENGINEERING.

HAZARDS: LOTS 41 AND 42 ARE SUBJECT TO R2 AVALANCHE HAZARDS

TE TOWN COUNCIL APPROVAL:

F SUMMIT - RESIDENTIAL FILING NO. 3" IS APPROVED FOR FILING

AY OF NOVEMBER 1998. THE DEDICATION OF THE
DESTRIAN/BIKE TRAIL IS ACCEPTED BY THE TOWN OF MT. CRESTED

ATTEST:
TOWN CLERK

CBOE # 3
EXHIBIT 2
Page 1 of 1

MLS #	31856	**Timber**	None
Price	$30,000	**Irrigation**	None
Status	Sold-Inner Office	**Deeded Water Rights**	No
Type	Bldg Site under 1 Ac	**Utilities**	Yes
Address	TBD Summit Road	**Covenants**	Yes
Address 2	Lot 41 Summit Residential Filing 3	**Acreage Range**	Less than 1
City	Mt. Crested Butte	**Property Features**	Skier Access
Zip	81225	**Zoning**	Single Family
Area	Mt CB	**Days On Market**	1247
Class	LAND		
Zip Lookup	81225-Mt. CB		

CBOE # 3

EXHIBIT F
Page 1 of 2

GARY J HURESKY - HOME: (970) 209-2421
BENSON SOTHEBY'S INTERNATIONAL REALTY - Main: (970) 349-6653

Virtual Tour:

GENERAL

Agency Type	Exclusive Right to Sell	**Subdivision**	The Summit	**Input Date**	8/20/2009 3:01:00 PM
Commission TB	3.0	**County**	Gunnison	**Original Price**	$200,000
Commission BB	3.0	**# of Acres**	0.51	**Price Date**	1/18/2013
VarComm	No	**Lot Size**	.51	**Price/# Acres**	$58,823.53
Excluded Buyer Y/N	No	**GrazPerm**	No	**Ownership**	Owner
Assessor Schedule #	R040025				
Seller Licensed Y/N	No				
Earnest Money	15,000.00				
Owner Name	Wright				

Legal Description:

Lot 41 Summit Residential Filing 3 #580391

FEATURES

UTILS TO PROP	Natural Gas, Gunn. Cnty Electric, Telephone, Public Sewer, Central Water	**PETS ALLOWED**	Yes
		TERMS	Cash, New Loan
DOMESTIC WATER	Public, Tap Available	**POSSESSION**	Upon Closing
SEWER	Sewer Available	**DOCUMENTS ON FILE**	Covenants

FINANCIAL

Real Property Tax Year	2011	**Real Property Taxes $**	3,091.82
HOA Fee	741.00	**HOA Per**	Yearly

CBOE # 3

AGENT FULL DETAIL REPORT - LAND

PUBLIC REMARKS

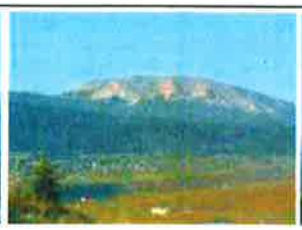
Expansive views from this Summit Lot. A half acre overlooking town and the mountain village. Easy access to skiing and ready for your dream home.

EXHIBIT F
Page 2 of 2

CONFIDENTIAL REMARKS

SOLD DATA

Asking Price	$75,000
Sold Price	$30,000
Contract Date	12/19/2012
Closing Date	1/18/2013
Property Use	
Sell Agt 1 - Agt Name	GARY J HURESKY
Sell Ofc 1 - Ofc Nm Ph	BENSON SOTHEBY'S INTERNATIONAL REALTY - Main: (970) 349-6653
How Sold	Cash



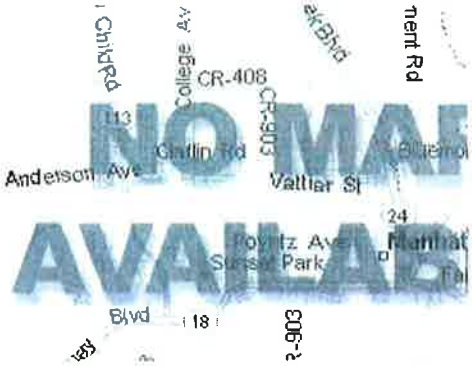
This information is deemed reliable, but not guaranteed.

CBOE # 3 EXHIBIT 3 Page 1 of 3

PROPERTY HISTORY DETAIL

Address
TBD Summit Road
Mt. Crested Butte, CO 81225

MLS #31856



MLS # 35589 **Class** LAND **List Date** 6/19/2012 **DOM** 213

Chg Date	Chg Type	Status	Price	Agent - Agent Name	Listing Office 1 - Office Name
11/26/2012 8:30:00 AM	Asking Price	Active	$299,000	COREY R DWAN	BENSON SOTHEBY'S INTERNATIONAL REALTY
6/19/2012 11:37:00 AM	First Recorded Entry	Active	$395,000	COREY R DWAN	BENSON SOTHEBY'S INTERNATIONAL REALTY

MLS # 35077 **Class** LAND **List Date** 2/24/2012 **DOM** 329

Chg Date	Chg Type	Status	Price	Agent - Agent Name	Listing Office 1 - Office Name
2/24/2012 7:50:00 AM	First Recorded Entry	Active	$495,000	COREY R DWAN	BENSON SOTHEBY'S INTERNATIONAL REALTY

MLS # 31856 **Class** LAND **List Date** 8/20/2009 **DOM** 1247

Chg Date	Chg Type	Status	Price	Agent - Agent Name	Listing Office 1 - Office Name
1/18/2013 11:06:00 AM	Status	Sold-Inner Office	$30,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
12/19/2012 10:43:00 AM	Status	Under Cont -Take Backups	$75,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
10/24/2012 11:22:00 AM	Asking Price	Active	$75,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
3/29/2011 10:35:00 AM	Asking Price	Active	$99,500	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
9/8/2010 11:16:00 AM	Asking Price	Active	$125,000	GARY J HURESKY	RESORT REALTY GROUP
8/31/2010 11:50:00 AM	Asking Price	Active	$165,000	GARY J HURESKY	RESORT REALTY GROUP

CBOE # 3

EXHIBIT G3
Page 2 of 3

MLS # 31856 **Class** LAND **List Date** 8/20/2009 **DOM** 1247

Chg Date	Chg Type	Status	Price	Agent - Agent Name	Listing Office 1 - Office Name
8/20/2009 3:01:00 PM	First Recorded Entry	Active	$200,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY

MLS # 29245 **Class** LAND **List Date** 2/6/2008 **DOM** 796

Chg Date	Chg Type	Status	Price	Agent - Agent Name	Listing Office 1 - Office Name
4/12/2010 12:48:00 PM	Status	Expired	$399,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
4/12/2010 11:24:00 AM	Status, Ownership	Active	$399,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
2/9/2009 2:25:00 AM	Status	Expired	$399,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
8/31/2008 10:11:00 AM	Asking Price	Active	$399,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
2/6/2008 11:22:00 AM	First Recorded Entry	Active	$590,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY

MLS # 28424 **Class** LAND **List Date** 8/1/2007 **DOM** 743

Chg Date	Chg Type	Status	Price	Agent - Agent Name	Listing Office 1 - Office Name
8/22/2009 8:37:00 AM	Status, Ownership	Sold-Inner Office	$205,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
6/24/2009 9:30:00 PM	Status	Under Cont -Take Backups	$250,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
5/7/2009 12:34:00 PM	Asking Price	Active	$250,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
4/7/2009 10:28:00 AM	Asking Price	Active	$279,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
2/4/2009 12:52:00 PM	Asking Price	Active	$329,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
7/31/2008 9:14:00 AM	Pass to Realtor.com	Active	$399,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY

CBOE # 3 EXHIBIT 4 Page 3 of 3

MLS # 20424 Class LAND List Date 8/1/2007 DOM 743

Chg Date	Chg Type	Status	Price	Agent - Agent Name	Listing Office 1 - Office Name
6/11/2008 11:51:00 AM	Asking Price	Active	$399,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
3/11/2008 11:34:00 AM	Asking Price	Active	$490,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY
8/1/2007 10:37:00 AM	First Recorded Entry	Active	$690,000	GARY J HURESKY	BENSON SOTHEBY'S INTERNATIONAL REALTY

CBOE # 3

EXHIBIT H
Page 1 of 1

Assessor Quick Links

Gunnison Assessor Home

Find Property Records

Gunnison County COLORADO

Assessor Property Record Search

Owner and Parcel Information

Owner Name & Mailing Address		Today's Date:	July 6, 2013	Account Number:	R040025
WISEMAN RENEE S 338 HIGHVIEW DR WOODLAND PARK, CO 80863-9405		Appraisal Year:	2013	Parcel Number:	3177-264-38-009
				Account Type:	Vacant
				Economic Area:	Econ Area 6
Business Name:	NA			Tax District:	500
				Mill Levy:	62.819

Property Location:	4 SUMMIT RD, MT CRESTED BUTTE	Parcel Map	Show Parcel Map
Neighborhood:	60760	Building Photos	NA
LEA:	THE SUMMIT AFFECTED (60760)	Building Sketches	NA
Subdivision:	SUMMIT RESIDENTIAL FILING 3	Generate Neighboring Owner List by Distance	
Condo:		Search Sales By Subdivision	
Legal Description:	LOT 41 SUMMIT RESIDENTIAL FILING 3 #618030		
Parcel Notes	TOTAL PARCEL = .508 AC		

2013 Assessment Information

Land Actual Value	Land Assessed Value	Building Actual Value	Building Assessed Value	Total Actual Value	Total Assessed Value
$125,800	$36,480			$125,800	$36,480

Prior Year Assessment Information

Year	Actual Value	Assessed Value	Mill Levy	Ad Valorem Taxes
2012	$169,100	$49,040	62.819	$3,080.65
2011	$169,100	$49,040	63.047	$3,091.82
2010	$365,800	$106,080	57.547	$6,104.59
2009	$365,800	$106,080	55.846	$5,924.16
2008	$581,000	$168,490	55.620	$9,371.40
2007	$581,000	$168,490	50.049	$8,432.76
2006	$215,000	$62,350	63.424	$3,954.48

Contact the Treasurer's Office for current property tax amount due. Do not use the figures above to pay outstanding property taxes.

Land Information

Land Description	Land Type	Acres	Site Access	Electricity	Sewer	Water	Other Attributes
VACANT RES LOTS	Vacant	0.508	YEAR ROUND	YES	CENTRAL	CENTRAL	LAND TYPE - MEADOW LAND TYPE - STEEP SLOPE GREATER THAN 45 DEG

Sales Information

Sale Date	Sale Amount	Grantor	Grantee	Vacant or Improved (at time of sale)	Reception #	Deed Type
01/16/2013	$30,000	WRIGHT JOSEPH JERRY REV LIVING TRUST	WISEMAN RENEE S	Vacant	618030	GEN WARR DEED - FEE
11/20/2007		WRIGHT J JERRY	WRIGHT JOSEPH JERRY REV LIVING TRUST	N/A	580391	WARRANTY DEED - NO FEE
12/18/2001	$135,000	SUMMIT AT MT CB COLO JOINT VENTURE #1	WRIGHT J JERRY	Vacant	516938	WARRANTY DEED - FEE

The Gunnison County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. All assessment information is subject to change before the next certified tax roll. Website Updated: July 2, 2013

© 2012 by the County of Gunnison, CO | Website design by qpublic.net

CBOE # 3

EXHIBIT I
Page 1 of 1

Real Estate Appeal

Account # R040025

Property Address:
4 Summit Road
Mount Crested Butte, CO 81225

Please consider this note an appeal against the property tax assessment on the above referenced property in Gunnison County.

Justifications:

The County, through their mass appraisal, has valued this lot (lot 41) the same as lots 40, 35 and 34. These lots do not have the same characteristics or market value. I would point out that even on the assessor's database the attributes of our lot include the words "LAND TYPE - STEEP SLOPE GREATER THAN 45 DEG" which is true. There is no clear building envelope at all.

Additionally, and perhaps this is new information to the assessor, according to the PLAT filing (The Summit Residential Filing No. 3, rec. #489271), note #11 reads, "AVALANCHE HAZARDS: LOTS 41 AND 42 ARE SUBJECT TO R2 AVALANCHE HAZARDS."

Clearly, there are mitigating factors that affect the market value of this lot over superior lots that were given identical valuations.

The most recent sale for this property was:

01/16/2013	618030	Warranty Deed	$30,000

Although the last sale falls outside the tax window, it is for only $30,000, a value approximately 75% less than the assessor's valuation.

Additionally, this property was listed publicly on the MLS as far back as August 1, 2007. That is 1,997 days or 5 years, 5 months and 17 days from when the property was first listed to when it finally sold. This speaks to both the poor market conditions that existed during the valuation window, as well as to the poor characteristics specific to this lot.

To base the valuation of this property off of just two sales, both from lots that offer superior characteristics, is not justified.

Kindly consider the facts presented here including the most recent sale price, the PLAT notes recorded at the County, as well as the assessor notes on your system, and come to a fair valuation for this lot.

CBOE # 3

EXHIBIT 1
Page 2 of 2

I am petitioning for an appraised value of 30,000, the best market estimate on the property within the tax window.

Further, I give my husband, Todd Wiseman, full authority to discuss and shepherd this appeal through the appeal's process.

Thanks,

Renee Wiseman