

PETITION FOR ABATEMENT OR REFUND OF TAXES

County: Boulder County

Date Received: 4/19/2023

(Use Assessor's or Commissioners' Date Stamp)

Assessor Decision - June 15th Due Date

Section I: Petitioner, please complete Section I only.

Today's Date: 4/19/2023

Petitioner's Name:

YARMOUTH HOLDINGS LLC

Petitioner's Mailing Address

3021 JEFFERSON ST
BOULDER, CO 80304**SCHEDULE NUMBER**

R0033330

**PROPERTY ADDRESS OR
LEGAL DESCRIPTION OF PROPERTY**2300 YARMOUTH AVE
UNINCORPORATED, CO

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for property tax year(s) **2021 and 2022** are incorrect for the following reasons: (Briefly describe why the taxes have been levied erroneously or illegally, whether due to erroneous valuation, irregularity in levying, clerical error or overvaluation. Attach additional sheets if necessary.)

Petitioner's

\$825,000 in year 2022

Estimate of Value

\$825,000 in year 2021

Reason For Appeal

This parcel is contiguous to a residential parcel under the same ownership. Therefore we request that this property be reclassified to residential. Additionally, we request that the value be reduced to \$2/SF.

I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits or statements, has been prepared or examined by me, and to the best of my knowledge, information and belief, is true, correct, and complete.

Electronically submitted YARMOUTH HOLDINGS LLC

Petitioner's Signature

Phone Number: 3037499034**Email:** michael.vandonselaar@kroll.com

Electronically submitted Michael Van Donselaar

Agent's Signature*

Phone Number: 3037499034 **Email:** michael.vandonselaar@kroll.com

***Letter of agency must be attached when petition is submitted by an agent.**

If the Board of County Commissioners, pursuant to § 39-10-114(1), C.R.S., or the Property Tax Administrator, pursuant to § 39-2-116, C.R.S., denies the petition for refund or abatement of taxes in whole or in part, the Petitioner may appeal to the Board of Assessment Appeals pursuant to the provisions of § 39-2-125, C.R.S., within thirty days of the entry of any such decision, § 39-10-114.5(1), C.R.S.

Section II**Assessor's Recommendation**

(For Assessor's Use Only)

Property Address: 2300 YARMOUTH AVE UNINCORPORATED, CO**Owner Name:** YARMOUTH HOLDINGS LLC

	Tax Year: 2022			Tax Year: 2021		
	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	\$1,448,30	\$420,007	40725.14	\$1,448,30	\$420,007	37733.85
Corrected	825000	239250	23198.40	825000	239250	21494.46
Abate/Refund	623300	180757	17,526.74	623300	180757	16,239.39

☒ **Assessor recommends approval as outlined above.**

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(I)(D), C.R.S.

Tax Year: 2022	Protest? <input type="radio"/> Yes <input checked="" type="radio"/> No	(If a protest was filed, please attach a copy of the NOD.)
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Tax Year: 2021	Protest? <input type="radio"/> Yes <input checked="" type="radio"/> No	(If a protest was filed, please attach a copy of the NOD.)
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☐ **Assessor recommends denial for the following reason(s):***Cynthia Braddock***Assessor's or Deputy Assessor's Signature**

FOR ASSESSORS AND COUNTY COMMISSIONERS USE ONLY**(Section III or Section IV must be completed)**

Every petition for abatement or refund filed pursuant to § 39-10-114, C.R.S. shall be acted upon pursuant to the provisions of this section by the Board of County Commissioners or the Assessor, as appropriate, within six months of the date of filing such petition, § 39-1-113(1.7), C.R.S.

Section III**Written Mutual Agreement of Assessor and Petitioner**

(Only for abatements up to \$10,000)

The Commissioners of Boulder County authorize the Assessor by Resolution No. _____ to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of \$10,000 or less per tract, parcel, or lot of land or per schedule of personal property, in accordance with § 39-1-113(1.5), C.R.S.

Property Address: 2300 YARMOUTH AVE UNINCORPORATED, CO

Owner Name: YARMOUTH HOLDINGS LLC

The Assessor and Petitioner mutually agree to the values and tax abatement/refund of:

		Tax Year:			Tax Year:	
	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Corrected	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Abate/Refund	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Note: The total tax amount does not include accrued interest, penalties, and fees associated with late and/or delinquent tax payments, if applicable. Please contact the County Treasurer for full payment information.

<div></div>	<div></div>
Petitioner's Signature	Date
<div></div>	<div></div>
Assessor's or Deputy Assessor's Signature	Date

Section IV**Decision of the County Commissioners**

(Must be completed if Section III does not apply)

WHEREAS, the County Commissioners of **Boulder County**, State of Colorado, at a duly and lawfully called regular meeting held on ____/____/____ (mm/dd/yyyy), at which meeting there were present the following members:

with notice of such meeting and an opportunity to be present having been given to the Petitioner and the Assessor of said County and Assessor **Cynthia Braddock (not present)** and Petitioner **Yarmouth Holdings LLC (not present)**, and WHEREAS, the said County Commissioners have carefully considered the within petition, and are fully advised in relation thereto, NOW BE IT RESOLVED, that the Board (**agrees**) with the recommendation of the Assessor and the petition be (**approved**) with an abatement/refund as follows:

<u>Year</u>	<u>Assessed</u>	<u>Taxes Abate/Refund</u>	<u>Year</u>	<u>Assessed</u>	<u>Taxes Abate/Refund</u>
2022	\$180757	\$17,526.74	2021	\$180757	\$16,239.39

Chairperson of the Board of County Commissioners' Signature

I, _____ County Clerk and Ex-officio Clerk of the Board of County Commissioners in and for the aforementioned county, do hereby certify that the above and foregoing order is truly copied from the record of the proceedings of the Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County this ____ day
of _____, _____.

County Clerk's or Deputy County Clerk's Signature

Note: Abatements greater than \$10,000 per schedule, per year, must be submitted in duplicate to the Property Tax Administrator for review.

Section V

Action of the Property Tax Administrator

(For all abatements greater than \$10,000)

The action of the Board of County Commissioners, relative to this abatement petition, is hereby

- ☐ Approved
- ☐ Approved in part \$ _____
- ☐ Denied for the following reason(s):

Secretary's Signature

Property Tax Administrator's Signature

Date

Account Number: R0033330

ABATEMENT STIPULATION

**ABATEMENT STIPULATION
TAX YEAR 2021 & 2022
ACTUAL VALUE**

YARMOUTH HOLDINGS LLC,

Petitioner,

vs.

BOULDER COUNTY BOARD OF COUNTY COMMISSIONERS,

Respondent.

Petitioner and Respondent hereby enter into the following Stipulation regarding the tax years 2021/2022 valuation of the subject property:

1. The property subject to this Stipulation is described as:
2300 YARMOUTH AVE UNINCORPORATED BOULDER COUNTY
2. The subject property is classified as VACANT LAND.
3. After a timely appeal and further review and negotiations, the parties stipulate and agree that the actual value of the subject property should be changed as follows for the above-described tax years.

ORIGINAL VALUE \$1,448,300 NEW VALUE \$825,000

4. Absent an unusual condition, this corrected value is intended to be the value for both years of the appraisal cycle per C.R.S. 39-1-104(10.2). Thus the valuation of Petitioner's property for both years in the reassessment cycle should be the same, absent statutory exceptions.
5. Petitioner agrees, as result of this Stipulation, to waive the right to file a protest or otherwise appeal the valuation of account # R0033330 for the tax year(s) covered by this petition.

Account Number: R0033330

ABATEMENT STIPULATION

6. Brief narrative as to why the reduction was made:

Comparables reveal a lower value

7. Both parties agree that all future hearings scheduled or not, for this reassessment cycle, shall be vacated.
8. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement.

By: Michael Van Donselaar June 15, 2023

Kroll, LLC
Michael Van Donselaar
1624 Market St., Ste 226 PMB 94453
Denver, CO 80202-1959
Telephone 303-749-9034
michael.vandonselaar@kroll.com

CYNTHIA BRADDOCK
Boulder County Assessor

By: Cathy Brennan June 15, 2023

Cathy Brennan
Commercial Appraiser
P.O. Box 471
Boulder, CO 80306-0471
Telephone (303) 441-3530

TAX CONSEQUENCE SPREADSHEET

ID	OWNER
R0033330	YARMOUTH HOLDINGS LLC

Appraiser:	CCB
Review Date:	6/12/2023

Reason:

Appropriate consideration was given to the market, income and cost approaches to value. The stipulated value takes into account the subject property's attributes after comparison and appropriate adjustments to timely, proximate, and similarly situated comparable sales.

LAND OR AG LAND VALUE			
Tax Year		Mill Levy	Assessment Rate
2021		89.841	29.00%

Tax Year	Mill Levy	Assessment Rate
2022	96.963	29.00%

	Actual Value	Assessed Value	Taxes
Original	1,448,300	420,007	\$37,733.85
Corrected	825,000	239,250	\$21,494.46
Abate/Refund	623,300	180,757	\$16,239.39

Actual Value	Assessed Value	Taxes
1,448,300	420,007	\$40,725.14
825,000	239,250	\$23,198.40
623,300	180,757	\$17,526.74

Tax Year: 2021

State Abstract Codes Individual Value

Breakouts:	Land	540	\$825,000
	Land		

\$825,000

2021 2022

Full Value:	\$825,000	\$825,000
Tax rebate:	\$16,239.39	\$17,526.74

We don't need a grand total line, approval is per year

Approved by: Brian Floyd 6-14-2023

Tax Year: 2022

State Abstract Codes Individual Value

Land	540	\$825,000
Land		

\$825,000

Approval by Supervisor only if refund is \$1-\$4,999

Approval by Ken if refund is \$5,000 - \$10,000

Approval by Cindy if refund is >= \$10,000