

**RESOLUTION NO. 18-E-05**

**THE BOARD OF EQUALIZATION  
OF PUEBLO COUNTY, COLORADO**

**A RESOLUTION CONCERNING THE PETITION OF APPEAL OF  
KEVIN AND DENISE WEBER, TO THE PUEBLO COUNTY BOARD OF EQUALIZATION  
FOR REVIEW OF THE DETERMINATION OF THE PUEBLO COUNTY ASSESSOR**

**WHEREAS**, the Board of County Commissioners of Pueblo County, Colorado, sitting as the Pueblo County Board of Equalization for 2018, received a properly and timely filed Petition of Appeal from Kevin and Denise Weber, for review of the determination of the Pueblo County Assessor setting the 2018 valuation for assessment of residential property located in Pueblo County with Schedule No. 1501226016, in the records of the Pueblo County Assessor; and

**WHEREAS**, the Petitioner and the Pueblo County Assessor were given notice and an opportunity to appear before an Independent Referee appointed by the Board of Equalization at a hearing on the matter held on July 31, 2018, at 9:30 a.m., at the Pueblo County Courthouse; and

**WHEREAS**, Kevin and Denise Weber did appear. Kevin Roark, Certified Appraiser, Pueblo County Assessor's Office, appeared before Lee Medina, Independent Referee, and presented testimony, evidence, and arguments in the matter; and

**WHEREAS**, the Board, having considered the evidence, testimony, and arguments presented by the parties and taking judicial notice of the documents contained in the file of the Clerk to the Board, having considered the recommendation of the Independent Referee, a copy of which is attached hereto and is incorporated herein, and now being fully advised in the premises, **FINDS AS FOLLOWS:**

1. The property which is the subject of this Petition is classified as residential property and described as Schedule No. 1501226016, located at 226 E. Abriendo, Pueblo, Colorado, as listed in the records of the Pueblo County Assessor.
2. The Petitioner provided written protest wherein, they assert they may have paid too much for the property but only did so because the seller agreed to carry the note and made the purchase easy. They indicate that their taxes have doubled since they purchased the property in December, 2015. They provided for review copies of their tax notices for 2016 which placed a value of less than \$300,000 on the property. They also argued that a sale of what they assert is a comparable building at 127 Union Avenue, for \$315,000.00 supports the lower value they place on their property. They alleged the taxes on that property is one-third of their taxes. They place the value on the property of between \$400,000 to 450,000.00.
3. Mr. Roark provided a lengthy appraisal report regarding his valuation of the property. The subject property is a commercial building located in the City of Pueblo. Mr. Roark used the sales and cost approaches to value the subject property. He indicates he used comparable sales during the applicable collection period and the comparable sales were all commercial buildings located in Pueblo. The adjusted sales prices of the comparable range from a low of \$165,000.00 to a high of \$570,000.00. He indicates he made appropriate adjustments to take into account any differences between the subject property and comparables. Utilizing the sales approach, he determined the value to be in the range of \$465,000.00 to \$515,000.00. Because a large portion of the building is owner occupied he did not use the income approach to value the property. He asserts that the value of the property is \$495,679.00.

**RESOLUTION NO. 18-E-05 (CONTINUED)**


4. The Assessor asserts that the Petitioner's property, described above, was classified and valued properly in accordance with the requirements of the Colorado Constitution, Title 39 of the Colorado Revised Statutes, and the Property Tax Administrator's Manuals for the valuation of this type of property. According to the Assessor, the current assessed value of this subject property should remain \$495,679.00.

5. Based upon the evidence presented at the hearing, and the recommendation of the Independent Referee appointed by the Board of Equalization, this Board finds that an adjustment of the current value for the subject property is necessary. It is the finding of this Board that current assessed value for the subject property be set at \$465,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Pueblo County, Colorado, sitting as the Pueblo County Board of Equalization, that the aforementioned Petition is hereby **GRANTED IN PART AND DENIED IN PART**.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of August 2018, in Pueblo County, Colorado.

**THE BOARD OF EQUALIZATION  
OF PUEBLO COUNTY, COLORADO**

By:   
Terry A. Hart, Chair

STATE OF COLORADO     )  
                                      ) ss.  
COUNTY OF PUEBLO     )

I, Gilbert Ortiz, County Clerk and ex-officio Clerk of the Board of County Commissioners, sitting as the Board of Equalization, in and for the County and State aforesaid, do hereby certify that the annexed and foregoing order is truly copied from the Records of the proceedings of the Board of County Commissioners, sitting as the Board of Equalization, for said Pueblo County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Pueblo, this 13TH day of AUGUST, A.D., 2018.

GILBERT ORTIZ, County Clerk.

By: 