

# PETITION FOR ABATEMENT OR REFUND OF TAXES

County: Archuleta

Date Received 3/11/2022  
(Use Assessor's or Commissioners' Date Stamp)

ORIGINAL

**Section I: Petitioner, please complete Section I only.**

Date: March 11, 2022  
Month Day Year

Petitioner's Name: Darren C & Sariah Ellsmore

Petitioner's Mailing Address: 135 Country Center Dr F#8  
Pagosa Springs CO 81147  
City or Town State Zip Code

SCHEDULE OR PARCEL NUMBER(S)	PROPERTY ADDRESS OR LEGAL DESCRIPTION OF PROPERTY
<u>R019215</u>	<u>2324 County Rd 400</u>
<u>5699-024-00-006</u>	<u>Rural; 2-35-2W</u>

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for the property tax year 2021 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.)

Parcel lost the forest ag classification for 2021 for failure to comply with deadlines. He was and still is doing the forest ag program and has been put back on the forest ag program for 2022. The intent and use of the property for 2021 was forest ag.

Petitioner's estimate of value: \$ \_\_\_\_\_ (\_\_\_\_\_)  
Value Year

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.

\_\_\_\_\_  
Petitioner's Signature Daytime Phone Number (\_\_\_\_\_) \_\_\_\_\_  
Email \_\_\_\_\_

By \_\_\_\_\_  
Agent's Signature\* Daytime Phone Number (\_\_\_\_\_) \_\_\_\_\_  
Email \_\_\_\_\_

\*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)

Tax Year 2021


	Actual	Assessed	Tax
Original	\$381,760	\$110,710	\$6,919.60
Corrected	\$3,850	\$1,120	\$70.00
Abate/Refund	\$377,910	\$109,590	\$6,849.60

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: 2021 Protest?  No  Yes (If a protest was filed, please attach a copy of the NOD.)

Assessor recommends denial for the following reason(s):

  
 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 Archuleta \_\_\_\_\_ County authorize the Assessor by Resolution No. 2021-47 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 \$2,500 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.

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

	Tax Year <u>2021</u>		
	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	\$381,760	\$110,710	\$6,919.60
Corrected	\$3,850	\$1,120	\$70.00
Abate/Refund	\$377,910	\$109,590	\$6,849.60

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.

Petitioner's Signature Shanna Dully Elliott Date 3-14-2022  
 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 \_\_\_\_\_ County, State of Colorado, at a duly and lawfully called regular meeting held on \_\_\_\_/\_\_\_\_/\_\_\_\_, 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 \_\_\_\_\_ (**being present--not present**) and  
 Name \_\_\_\_\_  
 Petitioner \_\_\_\_\_ (**being present--not present**), and WHEREAS, the said  
 Name \_\_\_\_\_  
 County Commissioners have carefully considered the within petition, and are fully advised in relation thereto, NOW BE IT RESOLVED that the Board (**agrees--does not agree**) with the recommendation of the Assessor, and that the petition be (**approved--approved in part--denied**) with an abatement/refund as follows:

Year	Assessed Value	Taxes Abate/Refund

\_\_\_\_\_  
 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 \_\_\_\_\_, \_\_\_\_\_.  
 Month Year

\_\_\_\_\_  
 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 petition, is hereby

Approved  Approved in part \$ \_\_\_\_\_  Denied for the following reason(s): \_\_\_\_\_

\_\_\_\_\_  
 Secretary's Signature      \_\_\_\_\_  
 Property Tax Administrator's Signature      \_\_\_\_\_  
 \_\_\_\_\_  
 Date