

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

THURSDAY

9:00 A.M.

JANUARY 22, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Gary Schmidt, Member
Steven Sparks, Member

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
Leslie Admirand, Deputy District Attorney
Steve Churchfield, Chief Appraiser

ABSENT:

Jon Obester, Member

The Washoe County Board of Equalization convened in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

9:00 A.M. - BLOCK

04-05E ROLL CHANGE REQUESTS - DECREASES

Following discussion, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, Chairman Fox ordered that Roll Change Requests Nos. 14 through 19, resulting in decreases and placed on file with the Clerk, be approved for the reasons stated thereon.

04-06E HEARING NO. LT-652 - SHAPELL INDUSTRIES NO. CALIF., INC. - PARCEL NO. 122-530-06

A petition for Review of Assessed Valuation received from Shapell Industries No. Calif., Inc., protesting the taxable valuation on land and improvements located at 475 Lakeshore Blvd., Unit 6, Crystal Bay Cove, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Ron Sauer, Senior Appraiser, was sworn and distributed Exhibit I, "The Blue Book" - 2003 Incline Village Reappraisal Sales Data, to the Board members. Appraiser Sauer testified that the Assessor's Office has received approximately 1,300 appeals from property owners in Incline Village, all of which list the reason for the appeal as "valuation methods are not supported by statute or regulation." Appraiser Sauer stated the Assessor's Office has prepared a memorandum (pages 1 through 5) in

response to that statement, which he submitted as Exhibit II. Member Allison requested the memorandum be read into the record. Appraiser Sauer pointed out that the memorandum is the Assessor's response to each and every one of these particular appeals and then read the memorandum into the record. Both Exhibits were placed on file with the Clerk.

Member Allison asked what the Board's responsibility is if the valuation methods are, in fact, supported by statute or regulation. Legal Counsel Leslie Admirand advised that each petition on this agenda would need to be considered by the Board. Chairman Fox stated, if that is the only argument, that is all the Board would have to consider. Ms. Admirand stated that was correct.

Cori Del Giudice, Appraiser, was sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Chairman Fox asked if there was anyone present representing the Petitioner. There was no response.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value of subject property does not exceed the fair market value.

A discussion ensued concerning procedure, and the Board members determined that, when the Petitioner is not present, they would accept the Assessor's package; and the Assessor could stand on their written presentation unless they had additional information to submit on a particular hearing.

Legal Counsel Admirand pointed out that it is the taxpayer's burden to prove that the valuation methods are not supported by statute or regulation, and that burden is by clear and substantial evidence. She further advised that there is case law from the Nevada Supreme Court that says, if nothing is presented by the taxpayer, the taxpayer has not met their burden.

Chairman Fox asked if there was anyone present who wished to address the Board concerning the subject property.

Maryanne Ingemanson, Incline Village resident, reported that this taxpayer told her he was faxing a letter and requested it be read into the record. She asked if the letter was available. Chairman Fox asked both the Clerk and Assessor if the letter had been received. Neither the Clerk nor the Assessor had received a letter. Ms. Ingemanson requested that when the letter is located that it be placed in the Martin's file. County Clerk Amy Harvey pointed out this is not the hearing for Martin.

The Chairman asked if there was anyone else wishing to speak. There being no response, he closed the hearing.

Member Schmidt expressed his concern with the reason listed on the petition stating he does not believe it is the Board's duty to render legal opinions. He further stated it could be interpreted that the appellant believes the Assessor did not follow the methods they purport to use. Chairman Fox stated since the appellant is not present, the Board does not know what the appellant believes.

Based on the FINDINGS that the taxable value does not exceed fair market value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 122-530-06 be upheld.

04-07E HEARING NO. LT-75 - TAHOE-MIDDERNITER, LLC
PARCEL NO. 122-530-08

A petition for Review of Assessed Valuation received from Tahoe-Midderniter, LLC, protesting the taxable valuation on land and improvements located at 475 Lakeshore Blvd., Unit 8, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, and III.

The Chairman closed the hearing.

Blaine Cartlidge, Deputy District Attorney, requested that, in addition to the submitted written record, the legal arguments made in the statement read by the Assessor's office (Exhibit II) and the booklet that was handed out (Exhibit I) be part of the record in every hearing. Chairman Fox stated it was his understanding that was what was being done. Mr. Cartlidge also stated that Member Schmidt had referenced interpreting law applicable to these proceedings and the Board's powers and duties; and, in response, he advised that the Nevada Supreme Court has stated that adjudicating bodies, such as the County Board of Equalization, is "impliedly clothed with the power to construe it as necessary; that is the law; to construe it as necessary precedent to administrative action." He explained that that means this Board has the power, as well as the duty and obligation, to construe the law that governs these proceedings. He then cited the following cases: *Pyramid Lake Paiute Tribe of Indians vs. Washoe County*, 112 NV 743; *Reno vs. Reno Police Protective Association*, 118 NV Adv. Op. 90, dated December

26, 2002. Mr. Cartlidge further advised that the Court, in the *Tribe* case, stated that great deference should be given to the administrative agency's interpretation when it is within the language of the statute.

Based on the FINDINGS that the taxable value does not exceed fair market value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 122-530-08 be upheld.

04-08E HEARING NO. LT – 873 –BRIAN J. & KIM A. NETTLEMAN
PARCEL NO. 122-530-14

A petition for Review of Assessed Valuation received from Brian J. & Kim A. Nettleman, protesting the taxable valuation on land and improvements located at 475 Lakeshore Blvd., Incline, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035 LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 122-530-14 be upheld.

04-09E HEARING NO. LT-653 – EDWARD F. & KALE MARTIN, TR.
PARCEL NO. 122-530-27

A petition for Review of Assessed Valuation received from Edward F. & Kale Martin, Tr., protesting the taxable valuation on land and improvements located at 475 Lakeshore Blvd., #27, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035 LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Maryanne Ingemanson, Incline Village resident, asked if the faxed letter discussed earlier had been received from Mr. Martin. Chairman Fox checked with both the Assessor and the County Clerk again. Neither office had received a letter from Mr. Martin.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 122-530-27 be upheld.

Later in the day, a letter and photographs (Exhibits A and B) were received by the Assessor's Office from Mr. Martin via express mail. On motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, Chairman Fox ordered that Hearing No. LT-653 be reopened.

County Clerk Amy Harvey read the letter into the record. The letter and photographs were passed to the Board members for their examination and then placed on file with the Clerk. Chairman Fox asked if the Assessor had reviewed the letter and the photos. Senior Appraiser Ron Sauer stated they had. Chairman Fox asked if the information would cause the Assessor to change anything, such as the view classification. Appraiser Sauer stated the subject is lakefront property and, as such, has no view classification. He said the Assessor had nothing else to add.

Legal Counsel Leslie Admirand advised that since the Board did reopen the hearing and consider new evidence, it would be appropriate to make another motion regarding subject property.

Member Allison noted the Petitioner is requesting reconsideration based on the view, but the Assessor has testified that the view is not a factor on lakefront property. She also noted the taxable value appears to be considerably less than the comparable sales.

Member Schmidt stated the standard view chart is not used on lakefront property, but certainly the view could be taken into account in comparing various lakefront properties. He further said, without further information from the Petitioner, he did not feel he had a basis for challenging the Assessor's position.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 122-530-27 be upheld.

**04-10E HEARING NO. LT – 214 – VICTOR R. & JEAN WITT, C/O
GERALD V. HARRIES TTE - PARCEL NO. 122-530-28**

A petition for Review of Assessed Valuation received from Victor R. & Jean Witt, c/o Gerald V. Harries TTE, protesting the taxable valuation on land and improvements located at 475 Lakeshore Blvd., #20, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035/LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 122-530-28 be upheld.

**04-11E HEARING NO. LT – 673 – ELIZABETH L. SOWA
PARCEL NO. 123-190-48**

A petition for Review of Assessed Valuation received from Elizabeth L. Sowa, protesting the taxable valuation on land and improvements located at 101 Red Cedar Road, #23, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035 and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Elizabeth Sowa, Petitioner, was sworn and testified that her major complaint was the view classification and that she believes the method being used amounts to double dipping and is an unfair method of taxation. She stated the sales price would certainly reflect the view because anyone buying or selling would take that into consideration.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She also noted the subject property was discounted 30 percent in recognition of its close proximity to the highway and power lines crossing the view. She stated the Assessor would stand on their written presentation and Exhibits I, II and III.

Petitioner Sowa stated there are other properties on Red Cedar that have been sold that have different views, and no one ever came to her property. She stated there does not seem to be a written protocol as to how the views are valued.

Appraiser Del Giudice stated she did not know view was an issue as the first time she was contacted by the Petitioner was yesterday.

Member Schmidt asked if the value of the view or the value of the land was decreased and how the Assessor arrived at 30 percent. Appraiser Del Giudice stated the base lot value of the land was reduced, and the 30 percent was determined by comparing sales of properties close to the highway to sales of properties away from the highway.

Petitioner Sowa stated she has tried to get information from the Assessor three different times.

Appraiser Del Giudice stated she would be happy to inspect subject property to verify that the view classification is correct. She added if it is determined that the view classification should be changed, the Assessor would make a recommendation to the State Board.

The Chairman closed the hearing.

In response to Member Schmidt, Chairman Fox explained that in the 2003 hearings, the Assessor, the County Board and the State Board set a policy that the Assessor could review the view classifications when that issue was raised by the Petitioner and, if necessary, recommend changes to the County Board or the State Board, if the County Board was no longer in session.

Member Allison noted that the view classification was not listed on the petition as the reason for appealing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor’s Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-190-48 be upheld.

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County Clerk Amy Harvey advised that a letter has been received from D.G. Menchetti, Attorney, stating he has been retained to represent property owners in Stillwater Cove, which would be the next 15 hearings. She further stated there is also a letter from the Stillwater Cove Homeowners Association; and both letters are requesting that these hearings be rescheduled. At the request of the Chairman, Ms. Harvey read the letters into the record.

Chairman Fox expressed concern that this request to reschedule several hearings was made the day before the hearings were to be heard, noting that some Stillwater Cove property owners have appealed to the Board in the past, are fully aware of the process, and are fully aware of the Board's very full schedule due to the number of appeals that have been filed. He asked Chief Appraiser Steve Churchfield if there was any time available to reschedule these hearings in light of the number of appeals that have been filed this year. Appraiser Churchfield stated there was not. Chairman Fox stated the hearings would not be rescheduled.

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04-12E HEARING NO. LT-449 – THOMAS W. TUSHER, TR.
PARCEL NO. 123-271-06

A petition for Review of Assessed Valuation received from Thomas W. Tusher, Trustee, protesting the taxable valuation on land located at 120 State Route 28, Unit #42, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor’s Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land on Parcel No. 123-271-06 be upheld.

**04-13E HEARING NO. LT-668 – MICHAEL J. & SHIRLEY J. RITTER,
TR. - PARCEL NO. 123-271-07**

A petition for Review of Assessed Valuation received from Michael J. & Shirley J. Ritter, Tr., protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #41, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-271-07 be upheld.

**04-14E HEARING NO. LT-674 – D. CLARKE COLE, ET AL
PARCEL NO. 123-271-12**

A petition for Review of Assessed Valuation received from D. Clarke Cole, et al, protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #36, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-271-12 be upheld.

**04-15E HEARING NO. LT-76 – PAUL G. & BARBARA C.
HIMMELRIGHT - PARCEL NO. 123-271-13**

A petition for Review of Assessed Valuation received from Paul G. & Barbara C. Himmelright, protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #35, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-271-13 be upheld.

**04-16E HEARING NO. LT-675 – JOHN B. & BETTE R. BEAL
PARCEL NO. 123-271-14**

A petition for Review of Assessed Valuation received from John & Bette Beal, protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #34, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-271-14 be upheld.

04-17E HEARING NO. LT-77 - W. DAVID & LINDA J. BROWN
PARCEL NO. 123-271-15

A petition for Review of Assessed Valuation received from W. David & Linda J. Brown, protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #32, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Member Schmidt expressed his disappointment and distress that the Board is being asked to proceed with no participation from the appellant.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-271-15 be upheld.

04-18E HEARING NO. LT-846 – KENNETH R. & LINDA A. MORRIS
PARCEL NO. 123-271-16

A petition for Review of Assessed Valuation received from Kenneth R. & Linda A. Morris, protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #30, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-271-16 be upheld.

04-19E HEARING NO. LT-676 – GUSTAV W. CHYBA
PARCEL NO. 123-272-06

A petition for Review of Assessed Valuation received from Gustav W. Chyba, protesting the taxable valuation on land and improvements located at 120 State Route 28 Unit #8, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-272-06 be upheld.

04-20E HEARING NO. LT-78 – STEPHEN C. & PATRICIA A. SCHOTT
PARCEL NO. 123-272-08

A petition for Review of Assessed Valuation received from Stephen C. & Patricia A. Schott, protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #10, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-272-08 be upheld.

04-21E HEARING NO. LT-677 – FRED S. & JERRILYN T. GOLDBERG
PARCEL NO. 123-272-09

A petition for Review of Assessed Valuation received from Fred S. & Jerrilyn T. Goldberg, protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #11, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-272-09 be upheld.

04-22E HEARING NO. LT-478 – RICHARD G. & ALICE L. KRAUTSACK
- PARCEL NO. 123-272-12

A petition for Review of Assessed Valuation received from Richard G. & Alice L. Krautsack, protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #14, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-272-12 be upheld.

04-23E HEARING NO. LT-79 – ELLIOTT & LINDA B. WEINSTEIN, TR.
PARCEL NO. 123-272-13

A petition for Review of Assessed Valuation received from Elliott & Linda B. Weinstein, Tr., protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #15, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-272-13 be upheld.

04-24E HEARING NO. LT-825 – H. ROBERT & BARBARA A. HUME, TR.
PARCEL NO. 123-272-19

A petition for Review of Assessed Valuation received from H. Robert and Barbara A Hume, Tr., protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #21, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-272-19 be upheld.

**04-25E HEARING NO. LT-678 – BYRON C. & LUCILLE S. PEVEHOUSE,
TR - PARCEL NO. 123-273-02**

A petition for Review of Assessed Valuation received from Byron C. & Lucille S. Pevehouse, Tr., protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #31, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Member Allison noted the Petitioner added to the "canned" petition form that the values have increased by over 200 percent without any change in the dwelling or services. Chairman Fox asked Legal Counsel whether the value or taxes are based on the amount of services a property receives. Legal Counsel Leslie Admirand stated that would not be a basis for the Board to act on. She further stated there is no limitation on the amount of increases.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II, III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-273-02 be upheld.

**04-26E HEARING NO. LT-80 – TARIQ KURAI SHY, TR.
PARCEL NO. 123-274-04**

A petition for Review of Assessed Valuation received from Tariq Kuraishy, Tr., protesting the taxable valuation on land and improvements located at 120 State Route 28, Unit #23, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-274-04 be upheld.

04-27E HEARING NO. LT-878 – DAVID G. & JUDITH M. SIMON
PARCEL NO. 123-281-04

A petition for Review of Assessed Valuation received from David G. & Judith M. Simon, protesting the taxable valuation on land and improvements located at 4 Calaneva Drive #7, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned TC and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-281-04 be upheld.

04-28E HEARING NO. LT-81 – LINDA NEWMAN
PARCEL NO. 123-281-06

A petition for Review of Assessed Valuation received from Linda Newman, protesting the taxable valuation on land and improvements located at 4 Calaneva Drive, Unit #11, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned TC and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4 and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-281-06 be upheld.

04-29E HEARING NO. LT-82 – RICHARD C. MEYER, ET AL
PARCEL NO. 123-282-02

A petition for Review of Assessed Valuation received from Richard C. Meyer, et al, protesting the taxable valuation on land and improvements located at 4 Calaneva Drive, #4, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned TC and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4 and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-282-02 be upheld.

04-30E HEARING NO. LT-852 – HENRY & ANNETTE AIASSA
PARCEL NO. 123-282-05

A petition for Review of Assessed Valuation received from Henry & Annette Aiassa, protesting the taxable valuation on land and improvements located at 4 Calaneva Drive, #10, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned TC and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4 and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Member Schmidt again expressed his concerns with the "canned" petitions and lack of participation by the appellants.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-282-05 be upheld.

04-31E HEARING NO. LT-692 – DONALD & KATHLEEN AYALA
PARCEL NO. 124-340-07

A petition for Review of Assessed Valuation received from Donald & Kathleen Ayala, protesting the taxable valuation on land and improvements located at 866 Northwood Blvd., #7, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 124-340-07 be upheld.

04-32E HEARING NO. LT-120 – MENIKIN INVESTMENT CLUB
PARCEL NO. 124-340-17

A petition for Review of Assessed Valuation received from Menikin Investment Club, protesting the taxable valuation on land and improvements located at 866 Northwood Blvd., #17, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which County Clerk Amy Harvey read into the record.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Member Allison noted the Petitioner seems to have a misunderstanding between assessed value and taxable value.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 124-340-17 be upheld.

04-33E HEARING NO. LT-121 – RAMON & JENNIFER ALVAREZ
PARCEL NO. 124-340-26

A petition for Review of Assessed Valuation received from Ramon & Jennifer Alvarez, protesting the taxable valuation on land and improvements located at 866 Northwood Blvd., #26, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No124-340-26 be upheld.

**04-34E HEARING NO. LT-122 – RICHARD M. & MARY E. FREEMAN,
TR. - PARCEL NO. 124-340-27**

A petition for Review of Assessed Valuation received from Richard M. & Mary E. Freeman, Tr., protesting the taxable valuation on land and improvements located at 866 Northwood Blvd., #27, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 124-340-27 be upheld.

04-35E

**HEARING NO. LT-125 – KAHEI JOHN & KAYOKO JENNIE
KYUTOKU - PARCEL NO. 124-340-40**

A petition for Review of Assessed Valuation received from Kahei John & Kayoko Jennie Kyutoku, protesting the taxable valuation on land and improvements located at 866 Northwood Blvd., #40., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvement on Parcel No. 124-340-40 be upheld.

04-36E

**HEARING NO. LT-693 – JAMES E. & NANCY FINNEGAN, TR.
PARCEL NO. 124-600-03**

A petition for Review of Assessed Valuation received from James E. & Nancy Finnegan, Tr., protesting the taxable valuation on land and improvements located at 850 Northwood Blvd. #48, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5 and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II and III, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 124-600-03 be upheld.

10:45 a.m. Having completed the 9:00 a.m. Block of hearings, the Board recessed until 1:30 p.m.

1:30 p.m. The Board reconvened with all Members present, except Member Obester, as in the morning session.

1:30 P.M. - BLOCK

PUBLIC COMMENTS

Maryanne Ingemanson, Village League to Save Incline Assets, Inc., stated she would like to call to the Assessor's attention that people have asked for their entire appraisal file; and, at first, they were only given one page. They were then sent 54 pages, which included a letter from Mr. Churchfield, copies of Nevada Revised Statutes (NRS) and an enormous list of property sales that have occurred in Incline Village/Crystal Bay. She stated this information did not answer the question concerning how their property was appraised and which comparables were used. Ms. Ingemanson stated the County Assessor has the fiduciary and ethical responsibility to disclose all substantive information about a property's appraisal under NRS 645C.470(3) and 361.2278. She stated the Assessor is violating the taxpayers' due process rights.

04-37E **HEARING NO. LT-816 – NORIK & AZNIV MINASIAN, TR.**
PARCEL NO. 122-121-03

A petition for Review of Assessed Valuation received from Norik & Azniv Minasian, Tr., protesting the taxable valuation on land and improvements located at 308 2nd Creek Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036 MDS and designated single-family residence.

Ivy Diezel, Appraiser, was sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel submitted Exhibit IV, Assessor's Comparable Sales, West Slope of Incline Village. The Exhibit included maps, vacant land sales and improved sales. Chairman Fox asked if this Exhibit would apply only to this hearing. Appraiser Diezel stated it would apply to other properties on the West Slope. Appraiser

Diezel then stated the Assessor would stand on their written record and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Member Schmidt noted the reason on this petition is again "valuation methods are not supported by statute or regulation" and it states attachments will be supplied at the hearing. He said universally on all these appeals so far, the owner's opinion of market value is marked "unknown." Chairman Fox noted this particular property owner does not even know what he paid for the property. Member Schmidt stated it is an impossible task for the Board to attempt to adjust the values based on no evidence and not even an indication of what the owner believes the value should be.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 122-121-03 be upheld.

04-38E HEARING NO. LT-32 – ANN NYGREN/JAMES RITTENHOUSE
PARCEL NO. 122-141-06

A petition for Review of Assessed Valuation received from Ann Nygren / James Rittenhouse, protesting the taxable valuation on land and improvements located at 601 2nd Creek Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036/MDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel stated the Assessor would stand on the written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvement on Parcel No. 122-141-06 be upheld.

04-39E

HEARING NO. LT-627 – BRADLEY D. & SUSAN C. POWELL
PARCEL NO. 122-142-17

A petition for Review of Assessed Valuation received from Bradley D. & Susan C. Powell, protesting the taxable valuation on land and improvements located at 586 Sugar Pine Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036/MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel stated the Assessor would stand on the written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 122-142-17 be upheld.

04-40E

HEARING NO. LT-699 – GRABLE B. RONNING
PARCEL NO. 125-131-24

A petition for Review of Assessed Valuation received from Grable B. Ronning, protesting the taxable valuation on land and improvements located at 330 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036 HDS and designated single-family residence.

County Clerk Amy Harvey reported the Petitioner submitted a letter (Exhibit A). At the Chairman's request, Ms. Harvey read the letter into the record. The Petitioner requested his hearing be rescheduled. Chairman Fox stated that, unfortunately due to the time limitations on the Board and the full schedule because of so many appeals, there is no time available for rescheduling.

Ivy Diezel Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel stated the Assessor would stand on the written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Chairman Fox noted the Petitioner stated his lot is an odd-shaped "flag" lot and he shares the driveway with his neighbor. He asked if the Assessor had taken those facts into consideration when appraising subject property. Appraiser Diezel stated there was a five percent downward adjustment given to subject property because of access. She further stated the lot sits back from Tyner and backs up to public land, so the Assessor does not feel that is a detriment. Chairman Fox confirmed that the Appraiser was aware of these conditions at the time subject property was valued.

Member Sparks asked whether the Appraiser had an analysis of sales of other "flag" lots. Appraiser Diezel stated she did not. She then assisted the Board Members in finding the maps showing the location of the comparable sales in Exhibit IV. Member Schmidt asked Appraiser Diezel if she had visited the subject site. She stated she did visit the site during last year's reappraisal.

Senior Appraiser Ron Sauer explained that "flag" lots usually have long driveways, but the flipside is that they are usually farther away from the street. The Assessor feels that one offsets the other. Member Schmidt asked if the driveway is shared. Appraiser Sauer stated he does not believe TRPA (Tahoe Regional Planning Agency) would allow a shared driveway because of the coverage and it does not appear that way in the picture.

Member Allison noted the comparable sales are considerably higher than the taxable value of the subject.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-131-24 be upheld.

04-41E HEARING NO. LT-700 – JETTA R. & ROBERT E. DRYDEN
PARCEL NO. 125-131-34

A petition for Review of Assessed Valuation received from Jetta R. & Robert E. Dryden, protesting the taxable valuation on land and improvements located at 718 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036 HDS and designated single-family residence.

Ivy Diezel Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4 and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel stated the Assessor would stand on the written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-131-34 be upheld.

04-42E HEARING NO. LT-133 – TERRELL W. & LINDA L. PITTMAN
PARCEL NO. 125-141-28

A petition for Review of Assessed Valuation received from Terrell W. & Linda L. Pittman, protesting the taxable valuation on land and improvements located at 422 Valerie Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039/MDS and designated single-family residence.

Ivy Diezel Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Terrell W. Pittman, Petitioner, was sworn and testified that his property has gone up 62 percent when nothing has been done other than normal maintenance. He stated he does not know if the Assessor took into consideration that his property is below Tyner on a very high curve; he has seen two vehicles go off the curve and roll down through the woods towards his house; and there is an excessive run-off problem with water and snow melt. Mr. Pittman further stated several large, new homes have been built obstructing his view and these monstrous homes actually detract from his property value. He did acknowledge that his view classification is zero. The Petitioner said several homes on his street have now become rentals, which is another detraction; and Washoe County built a mosquito pond at the end of the street, so they now have mosquitoes. He stated his house is the smallest on the street and he feels he is paying the price for other people being able to build multi-million dollar houses.

Member Allison thanked Mr. Pittman for appearing and presenting information. She asked the Petitioner about his statement that the property has gone up 62 percent. Mr. Pittman stated that was actually last year. Member Allison explained to him that the Board can only consider this year's values. She stated the Assessor's taxable value is \$236,701 and asked him if he felt it was not worth that much. Mr. Pittman stated he would not pay that for it since it is a flat-roofed A-frame of only 1,400 square feet.

Chairman Fox asked the Petitioner if it was true that he does not know what the purchase price was. Mr. Pittman stated he purchased subject property for \$112,000 in 1987. Chairman Fox asked why he said that on the petition. Mr. Pittman explained that the petition form came to them from the League (Village League to Save Incline Assets) and they were asked to fill it out and send it in.

Member Schmidt asked the Petitioner if he was familiar with the Assessor's comparable sales. Mr. Pittman stated he was familiar with the neighborhoods, but not the specific properties. Member Schmidt noted the sizes of the comparables were from 1,352 to 1,480 square feet and the sale prices in 2002 and 2003 range from \$395,000 to \$485,000. He asked if the Petitioner felt those prices would be representative of those neighborhoods. Mr. Pittman stated it would be for those neighborhoods, but reiterated his property is affected by the noise from Upper Tyner and the mosquitoes. He further stated the snowplows dump the snow at the end of his street.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed full cash value. She stated the sales are comparable in size, age, and quality class and requested the Board uphold the Assessor's value based on Exhibits I, II, III and IV.

Chairman Fox asked if the Appraiser was aware of the retention pond at the end of the cul-de-sac. Appraiser Diezel stated she was not aware of that. Chairman Fox asked if any of the sales would be affected by the retention pond. Appraiser Diezel stated they would not.

Appraiser Diezel advised that the Assessor did make a ten percent downward adjustment on subject's land value because of the size of the parcel.

Member Schmidt asked if the Appraiser had visited the subject property. Appraiser Diezel stated she did during the reappraisal and has been back since, but she did not recall when. Member Schmidt also asked if the Assessor made an adjustment for excess traffic noise. Appraiser Diezel stated the subject property is far enough away from Tyner that she does not feel traffic noise is a detriment to the parcel. She further stated the only Tyner parcels that receive traffic noise adjustments are those that back up to the Mt. Rose Highway. Appraiser Sauer stated on a normal year with 200-300 appeals, the Appraisers always go by the properties and the comparables to double-check everything; but in a year with 1,400 appeals, there simply is not enough time to check every parcel under appeal.

Petitioner Pittman reiterated that Tyner Way is above his house and the sound settles in the lower part below the hill. He stated they do hear traffic noise. He further stated that having a retention pond close by must adversely affect value.

The Chairman closed the hearing.

Chairman Fox stated he is not sure the Board has sufficient data to make a judgment concerning whether the retention pond warrants a reduction. He also said the subject's taxable value is well below the comparable sales.

Member Allison noted that many of the new subdivisions in Washoe County are being required to build these retention ponds for runoff and to prevent flooding. As to the mosquitoes, she suggested the Petitioner try to get the County to do something to mitigate that problem.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-141-28 be upheld.

04-43E HEARING NO. LT-136 – TERRIE L. TOOMEY-JANES, ET AL
PARCEL NO. 125-145-01

A petition for Review of Assessed Valuation received from Terrie L. Toomey-Janes, et al, protesting the taxable valuation on land and improvements located at 762 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039/MDS and designated single-family residence.

Gail Vice, Appraiser, was sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Vice stated the Assessor would stand on the written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-145-01 be upheld.

04-44E HEARING NO. LT-856 – WAYNE T. GARNER
PARCEL NO. 125-161-37

A petition for Review of Assessed Valuation received from Wayne T. Garner, protesting the taxable valuation on land and improvements located at 912

Michael Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039 HDS and designated single-family residence.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Vice stated the Assessor would stand on the written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 125-161-37 be upheld.

04-45E HEARING NO. LT-722 – ROBERT J. LOUDON
PARCEL NO. 125-161-43

A petition for Review of Assessed Valuation received from Robert J. Loudon, protesting the taxable valuation on land and improvements located at 945 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039 HDS and designated single-family residence.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Vice stated the Assessor would stand on the written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-161-43 be upheld.

04-46E

HEARING NO. LT-138 – VLACHISLAF & NATALIA JACOBSON
PARCEL NO. 125-171-08

A petition for Review of Assessed Valuation received from Vlachislaf & Natalia Jacobson, protesting the taxable valuation on land and improvements located at 946 Garen Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039 HDS and designated single-family residence.

County Clerk Amy Harvey advised that she has a copy of a letter (Exhibit A) faxed by the Petitioner to the Board. Chairman Fox asked the Clerk to read the letter into the record, which she did.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Vice, stated that one of the issues raised in the Petitioner's letter was the view and advised that the Assessor has the view classed as V0, which means no view. Appraiser Vice then reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She then responded to questions from Board members concerning the comparable properties. Appraiser Vice stated the Assessor would stand on the written record and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-171-08 be upheld.

04-47E

HEARING NO. LT-725 – ARTHUR PUNDT, ET AL.
PARCEL NO. 125-171-09

A petition for Review of Assessed Valuation received from Arthur Pundt, et al, protesting the taxable valuation on land and improvements located at 948 Garen Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039 HDS and designated single-family residence.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Vice stated the Assessor would stand on the written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-171-09 be upheld.

04-48E HEARING NO. LT-217 – IRVING & MARJORIE CARR
PARCEL NO. 125-171-14

A petition for Review of Assessed Valuation received from Irving & Marjorie Carr, protesting the taxable valuation on land and improvements located at 958 Garen Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039 HDS and designated single-family residence.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Vice stated the Assessor would stand on the written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-171-14 be upheld.

04-49E HEARING NO. LT-147 – PHILLIP REGOS, ET AL.
PARCEL NO. 125-185-02

A petition for Review of Assessed Valuation received from Phillip Regos, et al, protesting the taxable valuation on land and improvements located at 210 Nadine Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039 HDS and designated single-family residence.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Vice stated the Assessor would stand on the written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-185-02 be upheld.

04-50E HEARING NO. LT-886 – HANS C. & FRANCOISE VERHOEVEN,
TR. - PARCEL NO. 125-185-08

A petition for Review of Assessed Valuation received from Hans C. & Francoise Verhoeven, Tr., protesting the taxable valuation on land and improvements located at 989 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039/HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Hans C. Verhoeven, Petitioner, was sworn and expressed his dissatisfaction with receiving such short notice of this hearing. Chairman Fox asked the Petitioner if he had any evidence to present concerning the value of his property. Mr. Verhoeven testified that the Assessor's records show that he has a solar heater, and the solar heater was removed years ago because it did not work. The Petitioner also stated the record is incorrect concerning his decks. The record shows one deck at 400 square feet and he actually has two wooden decks, each around 200 square feet. He stated Appraiser Rigo Lopez came to his home last summer, so he does not understand why the records were not corrected. Petitioner Verhoeven further stated that Appraiser Lopez had agreed to reduce the construction quality of the home and that he was supposed to get a 10 percent reduction because of the steepness of the driveway. He stated that 10 percent reduction does appear to be in the record. The Petitioner said his lot is .183 acres, not .19. Mr. Verhoeven asked that the solar heater be removed from the improvement value for previous years also. Deputy District Attorney Blaine Cartlidge explained that the Board can only address the 2004/05 values. Petitioner Verhoeven stated he also objects to the large increase in the land value.

Member Schmidt asked if the Petitioner had any comparable land sales to present, since he was objecting to the land value also. Petitioner Verhoeven stated that 985 Tyner, his neighbor, sold for \$363,000, but it was on the market for three years. Chairman Fox asked if that property was comparable to his. Mr. Verhoeven stated it was.

Chairman Fox noted on the petition, the Petitioner stated he did not know when he purchased the property or what he paid for it. Nor, did he express his opinion of value. Chairman Fox asked Mr. Verhoeven when he purchased subject property and how much he paid for it. Petitioner Verhoeven stated he purchased the property in 1999 for \$305,000.

Chairman Fox asked the Assessor to respond to the issue of whether or not the hearing was timely noticed. Sue Goodlet, Assessor's Office, was sworn and testified that staff began calling the property owners scheduled on today's agenda on January 13, 2004; and notices were mailed on January 16th. She stated Mr. Verhoeven's notice was mailed to his California address. In response to Chairman Fox, Legal Counsel Leslie Admirand stated the noticing requirements have been met. She further stated if a Petitioner appears at a hearing, they received adequate notice.

Appraiser Diezel advised that Exhibits I, II, and IV are also applicable to subject property. She reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She further explained that during the reappraisal subject property's land value received a ten percent downward adjustment for size; and, at the State Board of Equalization last year, the Assessor recommended an additional ten percent downward adjustment for access, which was granted.

Member Allison confirmed that the Petitioner paid \$305,000 in 1999, and he testified that his next door neighbor recently sold his property for \$363,000. She pointed out that the Assessor's taxable value is \$240,338 and asked if that was correct. Appraiser Diezel stated that was correct. Member Allison stated it would appear subject property should be increased, rather than decreased. Appraiser Diezel stated the land value is based on the current market and the improvements are valued at replacement cost less depreciation.

Member Schmidt read NRS 361.079 pertaining to energy systems being exempted from the improvement value. Steve Churchfield, Chief Appraiser, was sworn and testified that energy conservation items are noted on property records, but they are not supposed to be costed or added to the improvement value. He further stated it does appear that this record is in error. Appraiser Churchfield advised staff would research this; and, if it is in error, they would process a roll change request for the last three years for the County Commissioners' approval. Member Fox stated this Board could deduct the solar system for this year and asked the Assessor to make the request to the County Commissioners to correct the error for the last three years.

Chairman Fox asked Appraiser Churchfield about the decks and whether it would matter if there was one deck or two decks if the total of the decks is 400 square feet. Appraiser Churchfield stated that would not make a difference. He also stated the code WDK1 is the code for wooden decks and is not an indication of how many decks there are.

Appraiser Diezel stated the replacement cost new for the solar heater is \$4,725; the subject is receiving 36 percent depreciation; and the depreciated adjustment cost that would be reflected in the improvement taxable value is \$3,024.

Member Sparks stated he is having a problem with the house next door recently selling for \$363,000, the subject being purchased four years ago for \$305,000, and the taxable value of subject being \$240,338. Appraiser Churchfield explained the methods used by the Assessor of replacement cost less depreciation for improvements and market value on the land usually do end up with the taxable value being considerably below the market.

In rebuttal, Petitioner Verhoeven reiterated many of his previous remarks.

Chairman Fox noted the Petitioner's testimony that his parcel is .18 acres and asked the Assessor to correct their data.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal concerning a solar heating system, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land on Parcel No. 125-185-08 be upheld and the taxable value of improvements be reduced to \$85,313, for a total taxable value of \$237,313. The Board also made the finding that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-51E HEARING NO. LT-148 – RICHARD R. KEENLY
PARCEL NO. 125-185-09

A petition for Review of Assessed Valuation received from Richard R. Keenly, protesting the taxable valuation on land located at 995 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039 HDS and designated single-family residence.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Vice stated the Assessor would stand on their written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land on Parcel No. 125-185-09 be upheld.

04-52E HEARING NO. LT-727 – SCOTT SPITTLER
PARCEL NO. 125-185-16

A petition for Review of Assessed Valuation received from Scott Spittler, protesting the taxable valuation on land and improvements located at 1017 Dorcey Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039 HDS and designated single-family residence.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Vice stated the Assessor would stand on their written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-185-16 be upheld.

04-53E HEARING NO. LT-913 – RUSSELL W. & KATHLEEN E.
KETRON, TR. - PARCEL NO. 125-221-01

A petition for Review of Assessed Valuation received from Russell W. & Kathleen E. Ketron, Tr., protesting the taxable valuation on land and improvements located at 814 Colleen Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040 HDS and designated single-family residence.

County Clerk Amy Harvey advised the Petitioner has submitted a letter (Exhibit A) concerning his property. Chairman Fox requested the Clerk read the letter into the record, which she did.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Vice stated the Assessor would stand on their written presentation and Exhibits I, II, III and IV. In response to questions raised in the Petitioner's letter, Appraiser Vice advised that subject's view classification is V0 and the comparable sales also do not have garages.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-221-01 be upheld.

04-54E HEARING NO. LT-167 – J. DAVIS & ANN M. CLARK
PARCEL NO. 125-231-13

A petition for Review of Assessed Valuation received from J. Davis & Ann M. Clark, protesting the taxable valuation on land and improvements located at 760 Judith Court., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040 HDS and designated single-family residence..

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

James Davis Clark, Petitioner, was sworn. Chairman Fox noted the Petitioner stated on the petition that he did not know when he bought the property or how much he paid for it and asked if that was true. Mr. Clark stated Incline Village residents have had the League as an advocate for their taxes, and the documents were presented to the residents pre-filled out as they are by the League. He further stated they were instructed by letter to sign the forms and send them in to appeal their taxes. Chairman Fox then asked when Mr. Clark purchased the property and how much he paid. Petitioner Clark stated he purchased the property in 1994 for \$230,000.

Petitioner Clark then testified that he wished to refute his tax liability based on the land valuation. He stated the comparables in the area are all lower in

elevation and the higher the property, the more snow you have to remove. He stated his elevation is 7,300+. Petitioner Clark stated in the last two years his tax liability on the land has increased 100 percent and he deemed that to be outrageous. He said his lot is .18 acres, not .192 as the Assessor's records state. Petitioner Clark stated his justification for a lower land value is that he has a friend in town who has more than a half acre and his land is valued at \$192,000, which is only \$20,000 more than his lot. Chairman Fox asked if he was talking about property in Reno. The Petitioner stated it was in Incline Village. Chairman Fox asked if he knew the parcel number or address. Petitioner Clark stated he would rather not provide that information and cause his friend's taxes to be increased. In response to the Petitioner, Chairman Fox explained the view ratings and advised that lakefront properties do not have view classifications.

Member Sparks noted comparable sale No. 3 is at 759 Judith Court and asked the Petitioner if he was familiar with that home. Petitioner Clark stated it was across the street from his property. He also explained that the reason it sold for so much is that an individual who made it big with an Internet company purchased parcels -16, 17, 18, 14 and 11 in an attempt to buy the whole cul-de-sac; but he and his neighbor refused to sell.

Appraiser Diezel reviewed Exhibit III, sales of comparable properties, substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would like to incorporate Exhibits I, II and IV and their written presentation into the record on subject property. Chairman Fox asked if these parcels were given a site value. Appraiser Diezel stated they were and subject parcel did receive a ten percent downward adjustment due to its size. Chairman Fox also asked whether it would make a difference if the parcel is .18 acres instead of .192. Appraiser Diezel stated it would not.

Members Schmidt and Sparks discussed the sales the Petitioner mentioned, which were listed in Assessor's Exhibit IV.

In rebuttal, Petitioner Clark noted some of the Assessor's comparable sales are larger lots. He stated it is not fair the way taxes keep going up with the billionaires kicking the millionaires out of Incline Village.

Member Schmidt suggested the Petitioner's concerns should be expressed to the State legislature.

The Board members thanked Mr. Clark for appearing.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was

ordered that the taxable value of land and improvements on Parcel No. 125-231-13 be upheld.

04-55E HEARING NO. LT-734 – BRUCE A. & DEBRA ROEN
PARCEL NO. 125-233-02

A petition for Review of Assessed Valuation received from Bruce A. Roen, protesting the taxable valuation on land and improvements located at 796 Geraldine Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040 HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel stated the Assessor would stand on their written presentation and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-233-02 be upheld.

04-56E HEARING NO. LT-736 – DONALD R. & ARLEEN STRUNK
PARCEL NO. 125-243-10

A petition for Review of Assessed Valuation received from Donald R. & Arleen Strunk, protesting the taxable valuation on land and improvements located at 842 Hazel Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040 15 and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel advised that subject parcel should have received a ten percent downward adjustment for size; and, due to a clerical error, there was only a five percent adjustment made. She stated the base lot value was \$190,000 and a ten percent adjustment would establish the land value at \$171,000, which is what the Assessor is

recommending. Appraiser Diezel stated the Assessor would also submit Exhibits I, II and IV for subject parcel.

The Chairman closed the hearing.

Based on the FINDINGS that there was a clerical error, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land on Parcel No. 125-243-10 be reduced to \$171,000 and the taxable value of the improvements be upheld, for a total taxable value of \$ 215,517. The Board also made the finding that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-57E HEARING NO. LT-16 – ALBERT L. & ROSINA CUADROS
PARCEL NO. 122-111-20

A petition for Review of Assessed Valuation received from Albert L. & Rosina Cuadros, protesting the taxable valuation on land and improvements located at 120 Vue Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036 MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Rosina Cuadros, Petitioner, was sworn, submitted a letter, Exhibit A, explaining the owner's opinion of value, with a copy of the 1993 decision of the State Board of Equalization, which she read to the Board. The key points of the letter were that the subject property is constrained from further development because of the SEZ (stream environmental zone), which adversely affects land value, and that there has been no change to the property since the State Board determined the land value in 1993. Petitioner Cuadros also stated she believes the depreciation is skewed because the value never goes down. She further stated that their access is affected by boats, campers and vehicles in the summer and snow in the winter, which she believes is another negative aspect and would make it difficult to sell the property.

Appraiser Diezel stated Exhibits I, II and IV should also be included in this appeal, and she reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed full market value. She stated subject parcel did receive a 10 percent downward adjustment from the base lot value for the ravine running through the parcel. Chairman Fox asked if that was the SEZ zone. Appraiser Diezel stated it could be. Chairman Fox asked if an adjustment was made for noise that the Petitioner referred to. Appraiser Diezel stated she feels the parcel is far enough removed from SR28 that it would not warrant an adjustment for traffic noise.

In rebuttal, Petitioner Cuadros asked if any of the comparable sales have a stream running through them or a steep embankment. She stated these extreme restrictions on her property greatly affect the value.

Senior Appraiser Ron Sauer stated the SEZ did not preclude the Petitioner from developing the property, as the property owners were able to get approximately 2,500 feet of coverage from TRPA.

Member Sparks referred to sales listed in Exhibit IV, specifically 525 and 545 Ponderosa and stated it would appear to him those properties would have the traffic noise and they sold for more per square foot than subject's taxable value.

Petitioner Cuadros stated there should be pages from her 1999 appeal that describe the restrictions on building and the soil type and the embankment. Chairman Fox asked her if she brought copies of that information with her today. She stated she did not as she thought the Board would have that information. Chairman Fox advised her that the Board only gets what the Petitioner presents and what the Assessor presents at the hearing or with the petition.

The Chairman closed the hearing.

Member Schmidt stated he could support lowering subject's land value to the lower end of the range of the comparables. Member Sparks pointed out that if you look at the time adjustment for some of the sales, the subject is already below the lower end of the range. Member Allison noted subject's value is \$155 a foot and the comparables range from \$279 to \$295. She stated she is comfortable with the Assessor's value and the adjustment for the SEZ.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 122-111-20 be upheld.

* * * * *

4:55 p.m. The Board recessed.

6:30 p.m. The Board reconvened with all Members present, except Member Obester.

6:30 P.M. – BLOCK

04-58E HEARING NO. LT-737 – LESTER B. AND DOROTHY L. BRIGGS
TR - PARCEL NO. 125-244-10

A petition for Review of Assessed Valuation received from Lester B. and Dorothy L. Briggs Tr., protesting the taxable valuation on land and improvements located at 848 Jeffrey Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel clarified Exhibit IV as Land Sales and Single Family Residential Sales and Maps. Exhibit IV was presented without page numbers, and she explained that there are twenty-two pages in Exhibit IV. She requested the Board Members number the pages and gave them instructions in numbering the document.

Chairman Fox announced to the public that Exhibits I, II, III and IV were available at the meeting and anyone who desired a copy could pick them up from the Assessor's Clerk.

Appraiser Diezel presented an index that included the sale number and what map the sale is located on. She stated this is an addendum to Exhibit IV and would be entitled Exhibit IVa.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Member Sparks noted the non-participation of the petitioner. Member Schmidt stated that on the appeal the owner's opinion of market value was absent and identified as unknown. The reason given for the appeal was valuation methods were not supported by statute or regulation. He said there was a note on the petition that attachments or materials would be supplied at the hearing and he confirmed that there are none.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-244-10 be upheld.

04-59E HEARING NO. LT-153 – WESLEY J.M. WILKERSON
PARCEL NO. 125-254-01

A petition for Review of Assessed Valuation received from Wesley J.M. Wilkerson, protesting the taxable valuation on land and improvements located at 798 Randall Avenue, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but a letter was submitted, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Diezel, reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

Member Allison referenced the letter and comments by the petitioner regarding view. She asked if the property had any kind of a view and Appraiser Diezel confirmed that it was valued with no lake view.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-254-01 be upheld.

04-60E HEARING NO. LT-155 – LOANNE S. KULLER
PARCEL NO. 125-352-16

A petition for Review of Assessed Valuation received from Loanne S. Kuller, protesting the taxable valuation on land and improvements located at 880 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-352-16 be upheld.

04-61E HEARING NO. LT-61 – HORST H. AND LINDA S. SCHOLL TR
PARCEL NO. 125-361-14

A petition for Review of Assessed Valuation received from Horst H. and Linda S. Scholl Tr., protesting the taxable valuation on land and improvements located at 923 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Horst Scholl, Petitioner, was sworn, and testified that the increase in value of their land doubled in two years. He stated his concerns about fire safety and building code violations in Incline Village. Chairman Fox addressed the Petitioner and defined the role and limited jurisdiction of the Board of Equalization. The Petitioner did not present any information about the value of his land.

Member Schmidt suggested that Mr. Horst contact his Washoe County Commissioner, Jim Galloway, and bring his concerns forward to the Commissioner. Member Schmidt gave the Petitioner meeting information for the Board of County Commissioners.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. She said the subject parcel did receive a five percent reduction in the base lot value to recognize the traffic on the street.

In rebuttal, Mr. Horst asked, if he sold his house, would he get the same cut in property tax as his neighbor received. Chairman Fox said he was not clear what the Petitioner was referring to. The Petitioner said, when his neighbor put his house on the market, his property tax was cut almost in half. Chairman Fox stated that he believed this Board had nothing to do with his neighbor's property.

Member Allison thanked the Petitioner for his attendance and said that the Board cannot address issues that are beyond what the Board is charged to do, which is regrettable. She encouraged Mr. Horst to address his County Commissioner on the other issues. She stated that, if he had nothing to prove that his house was not worth the Assessor's taxable value, the Board must uphold the values.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-361-14 be upheld.

04-62E HEARING NO. LT-450 – SCOTT W. AND CATHERINE A. KEMPER TR - PARCEL NO. 125-361-15

A petition for Review of Assessed Valuation received from Scott W. and Catherine A. Kemper Tr., protesting the taxable valuation on land and improvements located at 695 Marlette Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. She said that the Assessor did conduct an interior inspection of the subject property; and, as a result, is recommending, a reduction in the quality class of the improvements from a 7.0 to 5.5. She further stated that the subject property is at the intersection of Marlette and the Mount Rose Highway. On reappraisal, the base lot value received a ten percent downward adjustment to account for the traffic nuisance and noise; and the Assessor is recommending an additional five percent downward adjustment on the land value to recognize the additional traffic nuisance due to its location on the corner of Marlette and the Mount Rose Highway.

The Chairman closed the hearing.

Member Sparks stated that the issues brought forth in the letter have been addressed by the Assessor.

Based on the FINDINGS that adverse factors were not given enough weight and as recommended by the Assessor, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the improvements on Parcel No. 125-361-15 be reduced to \$461,943 and the taxable value of the land be reduced to \$161,500, for a total taxable value of \$623,443. The Board also made the findings that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-63E HEARING NO. LT-738 – CHARLES INMAN
PARCEL NO. 125-362-02

A petition for Review of Assessed Valuation received from Charles Inman, protesting the taxable valuation on land and improvements located at 690 Bridger Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but submitted a letter, Exhibit A, which the Clerk read, the Board reviewed and discussed

In response to Member Sparks, Appraiser Diezel stated that an interior inspection had not been done of the dugout, unfinished basement, she would be willing to do an inspection if directed and if found to be in error a correction would be made.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Based on the FINDINGS that taxable value does not exceed fair market value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-362-02 be upheld, subject to the Assessor performing an interior inspection, paying special attention to the dugout basement and any changes would be made through proper authorization.

04-64E HEARING NO. LT-857 – DAVID B. SHROCK
PARCEL NO. 125-371-02

A petition for Review of Assessed Valuation received from David B. Shrock, protesting the taxable valuation on land and improvements located at 682 Ralston

Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-371-02 be upheld.

04-65E HEARING NO. LT-163 – JOSEPH S. & ALAMAY D. SIINO
PARCEL NO. 125-371-05

A petition for Review of Assessed Valuation received from Joseph S. and Alamay D. Siino, protesting the taxable valuation on land and improvements located at 920 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Joseph S. Siino, Petitioner, was sworn, and testified that his taxes have tripled in the last twelve years. He said an error was made on Exhibit III because his home has no sunroom. He stated his home is set one block off the Mount Rose Highway, he has no view of the lake, and the Tahoe Regional Planning Agency has prevented him from enlarging his home to meet his family's needs. He requested that the Assessor reanalyze their valuation methods of view classification, tear down value, time-value adjustment and recent sale value. He stated he believes the present way of assessing taxes is unfair, he asked for a rebate of excess taxes collected and to tax Incline residences on a fair basis in the future. He requested the Assessor review the home again. He further stated traffic from the Mount Rose Highway adversely impacts his property.

Steve Churchfield, Senior Appraiser, clarified a clerical error was made regarding the sunroom, there is no sunroom, and it has not been costed. He further

clarified that the taxable unit stated as \$178 per square foot included the house and the land.

Member Sparks reviewed the building cost summary and stated that the Assessor is less than \$100 per square foot including the 728 square foot garage. Chairman Fox asked the Petitioner if he had an opinion of the market value of his home, and Mr. Siino replied he did not place his opinion on his petition because he has no intention of selling. Chairman Fox clarified that an argument a taxpayer can make is that his taxable value exceeds the market value. He inquired if the Petitioner was contending that his taxable value exceeds the full cash value. The Petitioner stated his time was short in preparing for the hearing, and Chairman Fox confirmed that he did not have that information for the Board.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. She confirmed that, at the time of the reappraisal, the subject property received a ten percent downward adjustment to recognize the small size of the lot. It is the Assessor's recommendation to uphold the value.

In response to Member Schmidt, Appraiser Diezel stated that no adjustment was made based upon proximity to the Mount Rose Highway. She explained those reductions occur if a parcel abuts the Mount Rose Highway or SR28, Tahoe Boulevard. Member Schmidt pointed out that this property appears to be in line of sight to the Mount Rose Highway, less than 200 feet away and is on a half intersection. He inquired if this would meet the Assessor's criteria for a reduction. Appraiser Diezel confirmed that they did not make adjustments for parcels as described.

In rebuttal, Mr. Siino requested clarification on line of sight. He confirmed that there is no buffer in regard to traffic noise from a hill or slope. He said the sound comes direct into his home. He requested a ten percent reduction for the impact of the Mount Rose Highway.

The Chairman closed the hearing.

In response to Chairman Fox, Member Schmidt stated the parcel would warrant a five percent reduction for the traffic noise and visual impact of the Mount Rose Highway.

Based on the FINDINGS that adverse factors (traffic) were not given enough weight, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land on Assessor's Parcel No. 125-371-05 be reduced to \$161,500; and that the taxable value of the improvements be upheld for a total taxable value of \$239,920. The Board also made the findings that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-66E

HEARING NO. LT- 858 – JUDGE W. & CLAUDIA D. SMITH
PARCEL NO. 125-373-15

A petition for Review of Assessed Valuation received from Judge W. and Claudia D. Smith, protesting the taxable valuation on land and improvements located at 931 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Member Sparks noted the lack of response by the Petitioner.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-373-15 be upheld.

04-67E

HEARING NO. LT-197 – CONNIE L. TOOMAN
PARCEL NO. 125-522-16

A petition for Review of Assessed Valuation received from Connie L. Tooman, protesting the taxable valuation on land and improvements located at 608 Tumbleweed Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Connie Tooman, Petitioner, was sworn, submitted a letter, Exhibit A, read it into the record, and testified that she did not understand why her land value has increased 111 percent in two years. She stated that because she does not understand the increase she does not have confidence in where the values would stand in the future. She said she agrees with the appraisal values attached to the building, but her main concern is the land value.

In response to Ms. Tooman, Chairman Fox clarified that she did appeal her land and improvement values, per her petition. He said this Board is charged to look at the total property. Ms. Tooman said that she was in error to mark that she was protesting the value of her building and personal property. She requested the protest to be only in regard to the land value.

Chairman Fox explained that the Assessor operates on a five-year cycle, so often times during that period there can be large increases or decreases in the values if properties are in areas of rapid appreciation or depreciation. He said during the five-year cycle ending in 2002/2003 there were tremendous increases in values as shown by the sales data in the Incline area.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. Appraiser Diezel presented a real estate listing of the home from 2002, which was placed on file with the Clerk.

In response to Member Sparks, Appraiser Diezel explained that the 2001 land value was determined during the 1998 reappraisal; in 2002 there was a factor applied to the land value, which was based on a statistical study and in 2003 the reappraisal was completed with new values based on current sales and the in-depth study done at that time.

Member Sparks requested Appraiser Diezel to explain the methodology of how the seven vacant land sales were used to arrive at a base lot price of \$190,000. In response, Appraiser Diezel said the Assessor used additional sales beyond the ones listed in Exhibit III that are listed in Exhibit IV. She stated the entire area was examined looking for different factors, such as varying topography, elevations and various effects on the value. A range of sales was studied; the result was a base value that would fit the largest range of sales; and the adjustments were made from that point. She said this parcel has no access problems to the house and no traffic noise to consider.

In rebuttal, Ms. Tooman stated she is looking for the major event that would cause the value to increase 111 percent. She said what has been seen in Incline Village in the last two to three years is a level, if not degradation, of the total value of houses being sold on the market, not an increase. Ms. Tooman confirmed their property is listed for \$975,000, not \$1,100,000, and in 1994 the home was purchased for \$320,000. Member Sparks pointed out that the current asking price is a 304 percent increase over ten years. Ms. Tooman clarified that would take into consideration significant improvements that are on record.

In response to Ms. Tooman, Member Sparks explained that because of the reappraisal period, land is kept constant for a certain amount of years before a reappraisal period comes into effect, so the last year of the reappraisal cannot be applied to the new value. The reappraisal period was from 1999 through 2004.

In response to Chairman Fox, Leslie Admirand, Legal Counsel, confirmed that there is no limitation in the statutes on how large an increase can be in any given year.

Member Schmidt commented that the Board does not deal with percentage increases, but with taxable values based upon comparable sales and state statutes. He said that market value is based upon sales.

The Chairman closed the hearing.

Member Schmidt said he appreciated the Petitioner's comments, and he is not fully pleased with the property tax system in the state, but this Board has limited jurisdiction. He encouraged the Petitioner to raise her issues in an appropriate forum.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-522-16 be upheld.

04-68E HEARING NO. LT-453 – JOHN M. & JANET S. KEATING
PARCEL NO. 125-522-23

A petition for Review of Assessed Valuation received from John M. and Janet S. Keating, protesting the taxable valuation on land and improvements located at 565 Loma Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

Member Sparks responded to the letter and confirmed with the Appraiser that no view classification was used to assess the parcel. The Petitioner's letter stated adverse factors should be considered due to an irregular lot and the Members concluded the lot was not irregular.

Leslie Admirand, Legal Counsel, said she is concerned with the Petitioner's request to incorporate by reference into the record on appeal all the facts and testimony presented in the appeals of Incline Village properties for both the 2003/04 and

2004/05. She explained that 2003/04 property appeals are not before this Board as evidence and stated this could not be incorporated by reference. She recommended that this Board deny this request. Member Sparks agreed and said he does not see how any of the entire appeal process could be incorporated; and this record which is only for this specific property stands on its own.

In response to Member Schmidt, Appraiser Diezel said the Assessor did provide land sales with the 2003 assessment notices; and the Appellant requested information on his appraisal record, including sales, on January 15, 2004, which were sent out on January 16, 2004.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-522-23 be upheld.

On motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

**04-69E HEARING NO. LT-940 – PAUL L. AND KAREN L.
COLBERT - PARCEL NO. 125-541-03**

A petition for Review of Assessed Valuation received from Paul L. and Karen L. Colbert, protesting the taxable valuation on land and improvements located at 564 Chiquita Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Member Schmidt noted the section in the letter requesting to incorporate by reference into the record on appeal all the facts and testimony presented in the appeals of Incline Village properties for both the 2003/2004 and 2004/2005 assessments, and the Petitioner's statement that the Assessor did not provide specific comparable lot sales pertaining to his property.

Chairman Fox confirmed that the Assessor has responded to any request for information, as heard in the previous testimonies.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-541-03 be upheld.

On motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-70E HEARING NO. LT-487 – JAMES M. AND BONNIE O. WILSON TR
PARCEL NO. 125-544-03

A petition for Review of Assessed Valuation received from James M. and Bonnie O. Wilson, Tr., protesting the taxable valuation on land and improvements located at 640 Tumbleweed Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDR-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester absent, it was

ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-544-03 be upheld.

04-71E HEARING NO. LT-941 – THOMAS HOLUBOWSKY, TR
PARCEL NO. 125-552-04

A petition for Review of Assessed Valuation received from Thomas Holubowsky, protesting the taxable valuation on land and improvements located at 695 Saddlehorn Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III pages 1 through 4, and oriented the Board as to the location of subject property.

Thomas Holubowsky, Petitioner, was sworn, submitted Incline Village and Crystal Bay Property Appraised Values for 2003/04, Exhibit A, and testified that he is concerned about the 110 percent increase in his land value. He said his parcel is a very sloped piece of land, it sits on a through street and traffic is limited. He reviewed land values of other properties in his neighborhood, and stated the parcels are assessed lower yet they are better parcels compared to his with two of the parcels having a V-2 classification versus his V-1 classification.

The Petitioner stated his concerns about his building value. He said the building has been overvalued since day one. He referenced 680 Saddlehorn as a comparable parcel and stated that parcel has a lower building value than his and is a much nicer house. He further said, compared to other buildings in his area, he has one of the most expensive buildings. He explained that when he bought his home it was basically a "dump" and he spent \$17,000 on two coats of oil because the siding was drying out. He acknowledged that he has had termites, carpenter ants, mildew problems and his roof leaks. He stated he currently has sand bags in front of his garage because his driveway is sloped, so the snowmelt runs inside his garage and leaks through his house. He requested the Board reassess his property, reduce his land to the 2002 value of \$121,000, and reduce the building to a neighborhood comparable value of \$250,000.

In response to Member Allison, Mr. Holubowsky said the information about the market value of his land, building and personal property was stated as unknown when he received his petition; and, at the time, he did not have any further information.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. She said she would need to do additional research to be able to address the Petitioner's concerns regarding the values of other parcels in his neighborhood.

In response to Member Allison, Steve Churchfield, Chief Appraiser, clarified that the information that was given to the taxpayers does not include taxable

values and he inquired where the Petitioner located the information he presented today. The Petitioner confirmed he obtained the information from the Internet. Mr. Churchfield made it clear that what the Assessor sent the Petitioner was different from the information he was presenting at the hearing. Chairman Fox inquired who generated the document and the Petitioner responded that it came from a link through Nevada property tax.org. He said he only brought the pages that applied to his parcel.

Member Sparks reviewed the information presented by the Petitioner and it was found to be displaying the 2003 valuation year, showing the same numbers as presented by the Assessor in Exhibit III. He reviewed the three properties as requested by the Petitioner.

Member Schmidt stated he questioned the validity of sales WSL-6 and WSL-7.

The Petitioner had no rebuttal remarks.

The Chairman closed the hearing.

Member Schmidt moved that the Assessor's taxable values of the subject property be upheld with the assurances of the Assessor's office that they would do an inspection and review the quality class rating for the residence; and, if appropriate, make any adjustments necessary in regards to the taxable value of the building. Member Sparks seconded the motion.

Mr. Churchfield commented that only factual corrections could be taken to the Board of County Commissioners; the State Board of Equalization has been rejecting errors that are judgment with a subjective nature, such as quality class. He suggested the Appraiser conduct an inspection of the subject property; and if corrections are needed, a roll change request could be presented to this Board. Leslie Admirand, Legal Counsel, said she did not know of any mechanism allowing this to take place.

Member Schmidt requested an amendment to his motion and was directed by Legal Counsel to withdraw his original motion. Member Sparks withdrew his second to the original motion.

Member Allison recommended the Petitioner file with the State Board of Equalization if he is not satisfied with the ruling of this Board and provide the State Board with complete information for their rulings on his parcel.

Based on the FINDINGS that the quality class of the improvements was in error, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land on Assessor's Parcel No. 125-552-04 be upheld, and that the taxable value of the improvements be reduced to \$336,555, for a total taxable value of \$526,555. The Board

also made the findings that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-72E HEARING NO. LT-861 – BRIAN & KRISTA L. MASON
PARCEL NO. 125-562-04

A petition for Review of Assessed Valuation received from Brian and Krista L. Mason, protesting the taxable valuation on land and improvements located at 567 Matchless Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated 020-single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Member Sparks noted that the land had been given a 10-percent reduction by the Assessor.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-562-04 be upheld.

04-73E HEARING NO. LT-749 - ERWIN & SYLVIA NEUSTADT, TR
PARCEL NO. 125-563-04

A petition for Review of Assessed Valuation received from Erwin and Sylvia Neustadt, Tr., protesting the taxable valuation on land and improvements located at 569 Bronco Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated 020-single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-563-04 be upheld.

04-74E HEARING NO. LT-492 – WILLIAM L. & LEOTA B. SMITH, TR
PARCEL NO. 125-161-01

A petition for Review of Assessed Valuation received from William L. and Leota B. Smith, Tr., protesting the taxable valuation on land and improvements located at 961 Dorcey Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-161-01 be upheld.

04-75E HEARING NO. LT-723 – JULIE K. DINAPOLI / JASON R.
FAIRMAN, ET AL - PARCEL NO. 125-161-49

A petition for Review of Assessed Valuation received from Julie K. Dinapoli and Jason R. Fairman, et al, protesting the taxable valuation on land and improvements located at 947 Dorcey Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

In response to Member Schmidt, Appraiser Diezel stated there was a 10 percent upward adjustment for a dramatic view of the mountain, but no reduction for the irregular shape of the lot.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-161-49 be upheld.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-76E HEARING NO. LT-137 – ROBERT H. & JANET L. BOHANNON,
TR - PARCEL NO. 125-161-50

A petition for Review of Assessed Valuation received from Robert H. and Janet L. Bohannon, protesting the taxable valuation on land and improvements located at 945 Dorsey Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel, reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-161-50 be upheld.

04-77E HEARING NO. LT-144 – JOHN E. BUGGE
PARCEL NO. 125-174-02

A petition for Review of Assessed Valuation received from John E. Bugge, protesting the taxable valuation on land and improvements located at 964 Dorcey Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

John E. Bugge, Petitioner, was sworn, submitted a picture, Exhibit A, and testified that he did not agree with the Assessor's view classification of his parcel. He questioned if an assessment based on a non-lake view could include a classification of a mountain view, as his parcel was assessed.

In response to Mr. Bugge, Chairman Fox verified that it could. He stated that in Reno there are views of golf courses, mountains, lakes, city views and many types of views that are considered by the Assessor. The Assessor is considering a mountain view of Mr. Bugge's property. Chairman Fox said it is difficult for the Board to rely on a photograph alone, but it would be given the weight the Board feels it deserves.

Appraiser Diezel reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

In response to Member Schmidt, Ron Sauer, Senior Appraiser, explained the criteria for the view classification mountain-view. He said the view from the parcel would need to be verified, and a picture would not be an acceptable way to assess the view.

The Petitioner had no rebuttal. He requested a reassessment of his view.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was

ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-174-02 be upheld, subject to the Assessor verifying the view classification.

BOARD MEMBER COMMENTS

Member Allison commented that consolidating the hearings would be more efficient. She said most of the petitions that have been submitted have the one sentence, "valuation methods are not supported by statute or regulation," on them. They do not have the owner's opinion of market value stated or purchase prices or dates. She recommended that each day be scheduled in one entire block.

Member Sparks agreed the day should be scheduled into one block, starting at 9:00 a.m. He said the Petitioners who were present would be heard and the balance of the hearings would then be considered and consolidated.

Legal Counsel, Leslie Admirand, explained that this is not an action item and a decision and motion would need to be brought forward when consolidation is on the agenda, as it would be on January 23, 2004.

Member Schmidt advised that Marcia McCormick and David Nadel have been appointed as alternates to the Board, and he would like a future agenda item concerning how the alternates would be used.

PUBLIC COMMENTS

There was no response to the call for public comments.

* * * * *

10:15 p.m. There being no further hearings or business to come before the Board, the Board recessed until January 23, 2004, at 9:00 a.m.

ATTEST:

F. RONALD FOX, Chairman
Washoe County Board of Equalization

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy, Deputy Clerk
Lori Rowe, Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

FRIDAY

9:00 A.M

JANUARY 23, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member*
Gary Schmidt, Member
Steven Sparks, Member

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
Leslie Admirand, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on January 22, 2004, in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWALS

The following hearings scheduled for January 23, 2004, agenda were withdrawn by the Petitioners:

No. 896 – Gerald D. & Joyce J. Long Tr. – APN 125-463-10
No. 204 – Richard S. & Juanita L. Bischoff – APN 125-543-08

9:00 A.M. - BLOCK

SWEARING IN OF THE ASSESSOR'S STAFF

County Clerk Amy Harvey swore in the following members of the Assessor's staff who will be presenting testimony for the 2004 Board of Equalization hearings:

Mary Chambers	Stacy Ettinger
Sue Goodlett	Joe Johnson
Barbara Keller	Linda Lambert
Rigo Lopez	Chris Mumm
Pat O'Hair	Patricia Regan
Ron Shane	Tom Sokol
Mark Stafford	Keith Stege
Theresa Wilkins	Josh Wilson
Ernie Wood	Van Yates

03-78E TAX ROLL CHANGE REQUESTS – INCREASES

Following discussion, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that, pursuant to NRS 361.345(2), the County Clerk issue notices of tax roll increases to affected property owners setting February 24, 2004 at 9:00 a.m. as the date and time for the Board to act on tax roll change requests Nos. 1 through 5, increasing taxable values as delivered to the Clerk.

04-79E TAX ROLL CHANGE REQUESTS – DECREASES

Following review and discussion, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that Roll Change Requests Nos. 6 through 13, resulting in decreases, which were placed on file with the Clerk, be approved for the reasons stated thereon.

04-80E DISCUSSION – POSSIBLE CONSOLIDATION OF HEARINGS

In response to Chairman Fox, Ron Sauer, Senior Appraiser, recommended hearing the appeals from the Petitioners who are present first, then addressing unusual circumstances, and then consolidating the remaining petitions where there is no additional information for the Board to consider. He said he believed most of today's petitions could be consolidated because of the similar location and views.

Member Sparks suggested Petitioners that are here should be heard first and then the petitions that have submitted letters or additional information. The appeals where there is no petitioner present, nor have they responded with any type of a letter, could be considered for consolidation at that time.

Member Schmidt stated he would be in favor of considering individually any appeal with submitted documentation, including any additional comments written on the petition.

On motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the following procedure be followed regarding consolidation of hearings.

1. Anyone present in the hearing room at the time a hearing block starts would be heard first.
2. Consider anyone who has made any notation on their petition and/or submitted a letter in which there is some fact to be considered.
3. Any remaining petition case hearings would be considered for consolidation.

***9:15 a.m.** Member Obester arrived at the meeting.

04-81E **HEARING NO. LT-746A & B – THOMAS AND NANCY**
HENDERSON III - PARCEL NO. 125-521-05 & -04

A petition for Review of Assessed Valuation received from Thomas and Nancy Henderson III, protesting the taxable valuation on land located at 619 Tumbleweed Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated vacant, single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Nancy R. Henderson, Petitioner, was sworn and stated that, based on the information she has received, the taxable value of the subject parcel is very excessive, due to the fact that most Incline Village sales have increased only 18-30 percent over the last three years. She said this parcel is an undeveloped lot with no improvements made on it, it has no view, it has development restrictions due to the configuration of the lot, and additional coverage would need to be purchased in order to develop it. She added that the lot has a sharp slope that would cause the development to be forced up to the street.

Appraiser Diezel reviewed sales of comparable properties, including comparisons regarding coverage, substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written records and Exhibits I, II, III, IV and IVa. She further stated the exhibits were available in the hearing room from the Assessor's clerk.

Member Sparks inquired about the suitability for a structure on the parcel; and Appraiser Diezel said, by referencing the map, it appears there would not be a problem to build on the lot. She said it has street frontage; and, if there is a steep slope to the land that would not allow for a driveway, the hillside could be dug into to put in a garage or driveway.

In response to Member Spark's request, Appraiser Diezel reviewed her calculations in regard to coverage. Member Obester inquired about the potential lake view once the parcel is developed, and Appraiser Diezel said that there are parcels around it that do have a lake view, but on reappraisal she determined that with the likely building sites it would remain as no lake view.

Member Schmidt commented on prices of coverage and stated it is not appropriate to use today's market price for the coverage and make a full adjustment for that reason because the price may vary and tend to increase rather than decrease. The lot

is not ready to build on right now. He said this lot should not be compared equally to a lot that already has the buildable square footage.

Member Allison requested an explanation from Appraiser Diezel regarding base lot value, and Appraiser Diezel responded that a base lot value is determined by looking at a range of sales in an area to determine a median value of the sales of similar properties.

In rebuttal, the Petitioner said that the cost incurred to gain coverage for the parcel would be excessive.

The Chairman closed the hearing.

In response to Member Schmidt, Chairman Fox explained that there is an active market for coverage in the Tahoe basin. The market data presented to this Board in the past supports \$30 per square foot to buy the coverage. He said the Assessor has established a base lot value for properties in the immediate area of the parcel and from that they have deducted \$30 per square foot for the coverage people would need to buy in order to develop the parcel. Member Allison confirmed this same formula was presented in 2003 to the Board.

Member Schmidt recommended a reduction of five percent for the parcel to allow for overhead costs.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of land on Assessor's Parcel No. 125-521-05 be upheld.

* * * * *

A petition for Review of Assessed Valuation received from Thomas and Nancy Henderson III, protesting the taxable valuation on land located at 621 Tumbleweed Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family resident.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Nancy R. Henderson, the Petitioner, previously sworn, testified that the taxable value of the land has increased excessively, it is rated with a view, but it has no view anywhere throughout the home. She discussed comparable parcels in regard to view and tax values. She requested the Assessor inspect the residence and examine the view.

Chairman Fox stated that the Assessor understands that views can change and would reevaluate any view that the taxpayer disputes, so long as the taxpayer makes an appointment with an Appraiser to come and examine the view. He said, if a correction needs to be made, there is a procedure in place that would be followed.

Appraiser Diezel, reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

In response to Member Obester, Ms. Henderson stated she is rather vague on how the decisions have been, the basis upon which all the tax increases have occurred, and how view can be determined without someone coming into the residence. She said she feels there are not definite statutes in place that specifically identify what is a view and what is not a view.

The Chairman closed the hearing.

Based on the FINDINGS that taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of land on Assessor's Parcel No. 125-521-04 be upheld, subject to the Assessor verifying the view classification.

04-81E HEARING NO. LT-730 – EUGENE G. & CAROLE R. AVERKIN
PARCEL NO. 125-221-11

A petition for Review of Assessed Valuation received from Eugene G. and Carole R. Averkin protesting the taxable valuation on land and improvements located at 824 Geraldine Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040 HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Eugene G. Averkin, Petitioner, was sworn and submitted a letter, pictures, Incline Village and Crystal Bay Property Appraised Values for 2003/04 document and West Slope Vacant Land Sales document, Exhibits A, B, C and D. He testified that his land taxes should be lowered because the lot is steep and has no view of the lake. He said, according to Assessor's Exhibit IV, his land value should be decreased to \$121,000. He stated his house should also be depreciated due to the small size of the lot and the original IPES score of 755. He explained he was forced by Tahoe Regional Planning Agency regulations to build a small house; and, in order to gain as much living space as possible, he had to build small balconies and a small, narrow garage that can only accommodate a standard or compact car. He requested his house valuation be decreased by ten percent because of the small size of the house.

In response to Member Sparks, the Petitioner said that he disagrees with the Assessor's assessment because his house is being assessed on the 2,500 square foot size, but the negatives of a small garage and balcony have not being considered.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. She stated she did not know view was an issue, and she would set up an appointment with the Petitioner to verify the view classification. She clarified that the subject parcel did receive a ten percent reduction to the land value due to the size of the parcel. She explained that these parcels are valued on a site basis, and it is the typical unit of comparison for this type of property. She said the state mandated depreciation is allowed.

In response to Member Schmidt, Appraiser Diezel stated coverage is any impervious surface, including garage, house, asphalt and concrete covering, patios, driveways and ground floor decks; and, above the ground floor there, is a reduced ratio for coverage. She said the Assessor is required to value a parcel as the parcel is being used. She confirmed that the small lot size begins at .22 acres and there is no additional reduction for a lot smaller than .22 acres. She could not verify a steeply sloped lot by the pictures, and said a physical inspection would need to be done for verification. At the time of reappraisal, it was determined subject property was not steep enough to warrant an access adjustment.

In rebuttal, the Petitioner said he solved the slope problem by digging into the mountain. He clarified that his garage is only 462 square feet, not 493 feet as the Appraiser stated. Chairman Fox noted that on Exhibit III the Assessor's record shows 462 square feet, and, during the presentation, the Appraiser stated the wrong square footage.

Chairman Fox commented that, under Nevada statutes, there is only one way to arrive at the taxable value for a building and that is by applying the Marshall Swift Costing Service to the structures and then following the Marshall Swift instructions to arrive at replacement cost and then deducting the mandated depreciation of one and a half percent per year of age. In order to change the taxable value there has to be a showing that the taxable value exceeds full cash value. The Chairman explained that it is not how much somebody paid or how much it cost them to build; it is what Marshall Swift says it costs today.

In response to Member Schmidt, Chairman Fox said functional obsolescence could be applied for a detriment to the building to the extent that it causes the taxable value to exceed the full cash value. Legal Counsel Admirand agreed.

Member Allison stated that Incline Village is not an area that would be referred to as normal due to the mountainous terrain and forested areas.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 125-221-11 be upheld, subject to the Assessor's inspection of the parcel.

04-83E HEARING NO. LT-479 – HENRY J. & SHARON A. VALENTA
PARCEL NO. 125-232-17

A petition for Review of Assessed Valuation received from Henry J. and Sharon A. Valenta, protesting the taxable valuation on land and improvements located at 784 Ida Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Henry J. Valenta, Petitioner, was sworn and stated his objection is the way his area was selectively assessed. He said the Assessor treated him unfairly due to the selective assessment.

In response to Member Obester, the Petitioner stated he is referring to the entire Incline Village area.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. She said the Assessor is required to assess one-fifth of the County once every five years. The last reappraisals in Incline Village were 1998 and again in 2003.

Chairman Fox inquired if the Assessor's office had made any ratio studies of areas in the County comparing taxable value to the full cash value. Ron Sauer, Senior Appraiser, stated the office had looked at that information recently; and when the 2003 sales in Incline Village were compared to the 2004 taxable values, the result was the taxable values are approximately 66 percent of market value. He further said in the remainder of Washoe County, excluding Incline Village, the taxable values are 72 percent of market value.

In rebuttal, the Petitioner questioned why he was reassessed last year if the assessments are to take place every five years. Chairman Fox clarified that in the interim all properties in the State of Nevada are factored. The State of Nevada Department of Taxation provides the improvement factors to the Assessors in the various counties, and

the land factors are developed individually by each county, which then must be approved by the Department of Taxation and the Tax Commission before the factors can be applied. He said the reappraisal cycle is every five years, but values do change every year depending on the market in the area.

The Chairman closed the hearing.

Member Schmidt advised there is no provision in the law to compare neighborhood to neighborhood, and the Petitioner's concerns have been raised by many individuals. He suggested the proper forum for the Petitioner to attempt to address his concerns would be with the Assessor, the Washoe County Board of County Commissioners, or the State legislature. He explained that this Board has no authority under the law to act or to address the Petitioner's concerns as he presented them.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-232-17 be upheld.

04-84E HEARING NO. LT-172 – SAMUEL W. & MARY A. LINDERMAN
PARCEL NO. 125-443-14

A petition for Review of Assessed Valuation received from Samuel W. & Mary A. Linderman, protesting the taxable valuation on land and improvements located at 964 Mercury Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Samuel W. Linderman, Petitioner, was sworn and testified that his land value has been incorrectly calculated due to his parcel being located in a designated avalanche zone. He said that the sale of property is negatively affected when a parcel is located in an avalanche zone. He gave comparable sales in his neighborhood of homes in an avalanche zone and homes that were not in an avalanche zone. He requested a ten percent reduction in land value in consideration of the avalanche designation.

Member Sparks clarified the parcels the Petitioner was referencing for his comparable sales.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. In regard to the avalanche consideration she said that in the 1980's there was an actual avalanche

that went through the area. Immediately following the avalanche, the Assessor did a study on vacant land and the affect that the avalanche had on sale prices, and it was found at that time that the avalanche had no affect on the sales prices when comparing those in the avalanche zone with properties outside the avalanche zone.

In rebuttal, the Petitioner stated that he became aware of the avalanche zone two years ago; and his Realtor informed him that in 1992 there was no requirement to disclose the avalanche zone. The disclosure became a requirement in 2000. He further stated he believed a study done in the 1980's would not be valid today.

The Chairman closed the hearing.

Member Sparks said that the Petitioner has brought up a good fact as far as the property is concerned. There is an avalanche zone that affects the lots in the area, but it is not that big of a detriment.

Chairman Fox and Member Schmidt discussed the comparable sales and view classifications of parcels in the area.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-443-14 be upheld.

04-85E HEARING NO. LT-177 – CHRISTOPHER J. CARDINAL
PARCEL NO. 125-463-11

A petition for Review of Assessed Valuation received from Christopher J. Cardinal, protesting the taxable valuation on land and improvements located at 636 Second Creek Dr., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

Christopher Cardinal, Petitioner, was sworn and testified that there were errors on his appraisal. He said his appraisal states he owns a three-bedroom home and his home is a two-bedroom. He had questions about his view status and why the power lines were not factored into his view. He stated that traffic has become an issue for his lot. He further said the easement on his property is used for the neighborhood to get to their mailboxes, and he would like to be assured that the assessment on his parcel is accurate. He pointed out comparable parcels and their values.

Chairman Fox asked the Petitioner to describe the rooms in his house. The Petitioner stated the house has a master bedroom and bath, great room, fireplace and

dining room, kitchen, second bedroom and bathroom, two garages and an unfinished recreation room with a toilet, sink, concrete floor and paneling on the walls.

In response to Member Schmidt, the Petitioner described the location of his driveway and garage in relation to the parcel. He said he has been turned down in regard to a request for a stop light by his home due to the expense.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. She also said that the number of bedrooms is not a consideration in the cost. She confirmed she would verify the view classification status of the subject property and would correct any data problems necessary. She explained that the Assessor only adjusts for power lines if they are in the lake view. She recommended a five percent adjustment for traffic.

The Board Members reviewed and discussed the base lot value of the subject property, the comparable properties and asked Appraiser Diezel questions regarding the parcel assessment, value, lot size and shape of the parcel.

In rebuttal, the Petitioner questioned if good economic times with extremely low mortgage value rates are taken into consideration. He questioned if values are ever decreased, and Chairman Fox stated that many values have been reduced over the years.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (traffic) were not considered by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of land on Assessor's Parcel No. 125-463-11 be reduced to \$237,500; and the taxable value of the improvements be upheld for a total taxable value of \$342,444. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-86E HEARING NO. LT-897 – JOHN A. & ROSA ROOK, TR
PARCEL NO. 125-501-07

A petition for Review of Assessed Valuation received from John A. & Rosa Rook, Tr., protesting the taxable valuation on land and improvements located at 696 Tumbleweed Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

John A. Rook, Petitioner, was sworn and submitted the following exhibits: Exhibit A, Personal Letter to the Board; and Exhibit B, Tax Appeal Worksheets (3 pages). Mr. Rook read his letter into the record, which was placed on file with the Clerk.

In regard to the Petitioner's letter, Chairman Fox informed the Petitioner the Board has no authority to make any refund of back taxes. He directed the Petitioner to speak to his attorney or the Assessor's office to learn the procedure to follow to gain his desired refund. Chairman Fox explained the Petitioner's issues concerning the legality of the process used by the Assessor were addressed by this Board last year, were then appealed to the State Board of Equalization, and both Boards upheld the process.

The Petitioner stated he was not questioning the process the Assessor's office has used, but he was questioning the process of the practices and if they were followed consistently every year. Member Sparks stated the Board could only address 2004/05 and asked the Petitioner if he had any data specific to the process employed by the Assessor for 2004/05. The Petitioner stated the increase in his assessment in 2004/05 went from \$145,800 to \$250,000. He questioned why he did not receive all the information he requested from the Assessor's office regarding the valuation of his land and property. Chairman Fox informed the Petitioner he would need to address those issues with the Assessor and that the Board has to act on the evidence brought before them at the time of each hearing and base their decisions on that evidence. He explained that, when a property owner files an appeal, the burden is on the property owner to show by clear and substantial evidence that the assessment is wrong.

The Petitioner stated the assessment was not made properly and he does not believe a drive-by appraisal constitutes diligent inquiry or examination. In response to the Petitioner, Chairman Fox said the Assessor in Washoe County drives by the properties and, in Clark County, they fly over the properties to make the inspections. The Petitioner stated this was not helpful to him, and Chairman Fox explained that the work of the Assessor is reviewed by the Department of Taxation and that Department has not found that the Assessor is in violation in regard to their practices. He further explained that some of these issues are in Court and the Court may rule on them.

Member Allison asked the Petitioner what he believed his land and building should be assessed at and for any evidence to substantiate those amounts. The Petitioner reviewed comparisons on land and West Slope single-family residential sales as listed on Petitioner's Exhibit B. Chairman Fox inquired if the Petitioner believes lots at Incline Village are valued based on their size and the Petitioner said size should be one consideration and view should be another. In regard to the land he stated his lot size was smaller than the ones in his comparisons, and the slope of his driveway was not considered, so his land assessment should be decreased. In regard to his building, he said no land equalization has been applied properly to his parcel. He explained he had twenty residential improved properties and only three have a higher building valuation than his, two have bigger lots, and all three have higher quality class ratings.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

In response to Member Sparks, Appraiser Diezel verified that, in regard to quality class, the quality goes up as the number goes up, so a 3.5 quality class is better than a 3.0 or a 2.5.

Member Allison noted the comparables used list the views at zero and the Petitioner has a V1 listed for his parcel. Appraiser Diezel stated a review of the view classification could be completed if the Petitioner requested this from the Assessor

In rebuttal, the Petitioner said the comparables the Appraiser offered would have been in his presentation if he had received them earlier. He said the information presented by the Appraiser did not list the tax, land or property valuation, and his data included land and building valuation.

The Chairman closed the hearing.

Member Schmidt moved to uphold the Assessor's taxable value of the improvements and to reduce the taxable value of the land by five percent due to the small size of the lot. The motion died for lack of a second.

Member Allison requested the Assessor validate the view category for this property by making an appointment with the Petitioner to physically inspect the property.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-501-07 be upheld.

04-87E HEARING NO. LT-159 – KIRK GODDARD ET AL TR
PARCEL NO. 125-386-01

A petition for Review of Assessed Valuation received from Kirk Goddard, protesting the taxable valuation on land and improvements located at 951 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Kirk Goddard, Petitioner, was sworn and testified that he believes the methods are unfair in regard to how residents are being taxed in Incline Village. He

stated his taxes have increased 38 percent in the last two years compared to previous years when the increase was only five-percent. He testified that he has a problem with his view classification, and he would make an appointment with the Assessor to verify the view. He explained that he has a dangerous driveway and considers it an adverse factor on his parcel. He confirmed that the Incline Building Department measured the driveway at a 17½ percent grade, and currently the acceptable grade must be under 14 percent. He further said he has to have his driveway professionally plowed, he has to use ski poles to go down to the bottom of the driveway, and this would be a negative factor for someone considering purchasing his property. He further testified that his open space easement cuts right through his kitchen. He stated these items reduce the value of his property because there would be a cost involved to correct them.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. She said she did not know view was an issue on the subject property and a review would be done at the request of the property owner. She explained that a 17½ percent grade would qualify for an access discount; and in response to Chairman Fox, she acknowledged it would probably be a ten percent reduction.

In rebuttal, the Petitioner said ten percent would be a start and he would like the Assessor to come to the property for evaluation after six inches of snow has fallen. Chairman Fox explained the Assessor would set a time to come for a review of the property.

The Chairman closed the hearing.

Regarding the easement, Member Sparks stated, if there was a cloud on the title and there was title insurance, that should take care of it if there is an easement through the building. He said if there has been a change in Tahoe Regional Planning Agency requirements, as with defensible space, then that would be an entirely different issue. He acknowledged at this time the easement should not be a diminution on the value side.

Member Allison requested the Assessor validate the view category for this property by making an appointment with the Petitioner to physically inspect the property.

Based on the FINDINGS that adverse factors (topography) were not given enough weight by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of land on Assessor's Parcel No. 125-386-01 be reduced to \$225,000 and the taxable value of the improvements be upheld, for a total taxable value of \$407,908. The Board also made the findings that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

HEARING NO. LT-190 – RONALD D. WRIGHT
PARCEL NO. 125-501-05

A petition for Review of Assessed Valuation received from Ronald D. Wright, protesting the taxable valuation on land and improvements located at 692 Tumbleweed Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-LDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Ronald D. Wright, Petitioner, was sworn and testified that his property has been over-valued and there are adverse features on his parcel that should be recognized to reduce his taxable value. He said the factors are the view and an irregularly shaped lot that includes a sloped, 70-yard driveway. He explained that the driveway did affect the price of the house, was a negotiating point when he purchased the house and it would be a detriment if he were to sell the house. He stated the house is at 7,000 feet elevation, and the amount of snowfall increases the danger of the driveway.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. She said the Assessor would be willing to visit the property and assess the driveway and view at the Petitioner's request. In response to Member Sparks, she explained the lot would be similar to a base lot because it has access from the street and it is set back off the street.

In rebuttal, the Petitioner said he did not agree that the lot is a typical lot. He stated, if other maps were reviewed, there would not be a similarly shaped lot. He explained that the fact that the lot is set back does not offset the length of the driveway.

The Chairman closed the hearing.

Chairman Fox stated he did not have enough information to give a reduction for the driveway. He said the Assessor would visit the property to examine the view and the driveway. He further said he would like to see the Board uphold the current values with the stipulation that the two items be reviewed; and, if corrections need to be made, the Assessor would initiate those corrections.

Member Obester stated he does not see any adverse features on the lot. He said there are a lot of atypical lots in the area and he would not support any reduction.

Member Allison noted that the Assessor has agreed to visit the property to verify the view classification and examine the driveway to identify if any adjustments need to be made at that point.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-501-05 be upheld.

12:40 p.m. Members Allison and Obester left the meeting.

04-89E HEARING NO. LT-623 – RICHARD H. & VIRGINIA M. MOORE
PARCEL NO. 122-124-12

A petition for Review of Assessed Valuation received from Richard H. & Virginia M. Moore, protesting the taxable valuation on land and improvements located at 597 Sugarpine Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Members Obester and Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-124-12 be upheld.

04-90E HEARING NO. LT-22 – JAMES R. & DIANE R. FISHER TR
PARCEL NO. 122-125-04

A petition for Review of Assessed Valuation received from James R. and Diane R. Fisher, protesting the taxable valuation on land and improvements located at 575 Jackpine, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

In response to Member Sparks, Appraiser Diezel said the power lines run below the lake view and adjustments are made only when power lines cross through the lake view.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Fox, which motion duly carried, with Members Allison and Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-125-04 be upheld.

04-91E HEARING NO. LT-625 – STEVE W. & PEGGY M. HOLMES
PARCEL NO. 122-126-16

A petition for Review of Assessed Valuation received from Steven W. and Peggy M. Holmes, protesting the taxable valuation on land and improvements located at 566 Ponderosa Avenue, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. She said the Assessor would be willing to verify the view classification if contacted by the property owner and noted the subject parcel received a five percent downward adjustment for the power lines. She further explained that, upon reassessment of the property, if the view was no longer there, the adjustment for the power lines would be removed.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Members Allison and Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-126-16 be upheld.

04-92E HEARING NO. LT-156 – KEN LLEWELLYN
PARCEL NO. 125-372-05

A petition for Review of Assessed Valuation received from Ken Llewellyn, protesting the taxable valuation on land and improvements located at 948 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, with Members Allison and Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-372-05 be upheld.

04-93E HEARING NO. LT-189 – RICHARD A. WIRTZ
PARCEL NO. 125-501-03

A petition for Review of Assessed Valuation received from Richard A. Wirtz, protesting the taxable valuation on land and improvements located at 688 Tumbleweed Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Member Schmidt explained that the property owner has the right to contact the Assessor to make an appointment to validate the view category.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Members Allison and Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-501-03 be upheld.

04-94E HEARING NO. LT-198 – MICHAEL A. AND JOYCE N. MCCABE
PARCEL NO. 125-522-24

A petition for Review of Assessed Valuation received from Michael A. and Joyce N. McCabe, protesting the taxable valuation on land and improvements located at 567 Loma Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed. Chairman Fox said there was no room on the calendar for postponements, so the request of the Petitioner to reschedule was denied, and the hearing would take place as scheduled.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa. She confirmed that the records show that the subject property is 55 percent incomplete and this is reflected in the improvement value.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Members Allison and Obester

absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-522-24 be upheld.

04-95E HEARING NO. LT-891 – ROBERT L. & MARY M. EDWARDS
PARCEL NO. 125-373-21

A petition for Review of Assessed Valuation received from Robert L. Edwards, protesting the taxable valuation on land and improvements located at 943 Jennifer, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but additional comments that were written on the petition were read into the record, reviewed and discussed by the Board.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Members Allison and Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-373-21 be upheld.

04-96E HEARING NO. LT-203 – JAMES P. & KELLY L. BORELLI
PARCEL NO. 125-541-28

A petition for Review of Assessed Valuation received from James Borelli, protesting the taxable valuation on land and improvements located at 629 Tumbleweed Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036 HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She said the

Assessor is recommending a reduction in the land value after inspecting the subject property and the view classification. Appraiser Diezel stated the Assessor would stand on their written record including Exhibits I, II, III, IV and IVa.

The Chairman closed the hearing.

Based on the FINDINGS that the Assessor has inspected the property and is recommending the view classification be changed to V0, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Members Allison and Obester absent, it was ordered that the taxable value of land on Assessor's Parcel No. 125-541-28 be reduced to \$190,000; and the taxable value of the improvements be upheld for a total taxable value of \$399,859. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

1:30 p.m. Member Allison returned to the meeting.

04-97E **HEARING NOS. LT-611, -624, -718, -724, -883, -151, -165, -752, -164, -431, -157, -169, -174, -472, -193, -747, -205, -206**

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located at Incline Village, Washoe County, Nevada, were set for consideration at this time. The properties were designated single-family residences.

Chairman Fox suggested that because all of the remaining petitions state the same reasons, there has been no additional information provided by letter, fax or otherwise for any of these hearings, the Petitioners are not present, and the Assessor has expressed their willingness to stand on their written record, he believes the remaining hearings can be heard at one time.

On motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that all of the remaining petitions be consolidated.

The Clerk then called each hearing by hearing number, property owner's name and parcel number.

Member Sparks asked if there was anyone in the audience representing any of the property owners or parcels that were just called. There was no response.

Chairman Fox again pointed out that there were no Petitioners present. He further noted the petitions all stated that the Petitioners would provide additional information to the Board at the hearing, but no information has been given. All of the petitions stated the reason for the owner's opinion that subject property was improperly valued was, "valuation methods are not supported by statute or regulation;" and all of the

petitions state that the property owners do not know their land or building value, do not have an opinion of the market value, and do not know when they purchased their property or what their purchase price was.

Ivy Diezel Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the locations of the subject properties. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV and IVa.

The Chairman closed the hearings.

Legal Counsel, Leslie Admirand, advised the Board to include each hearing number in the motion.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-611	Robert L. and Mary Lu Pardee	122-052-20
LT-624	Ramona K. and Tracy J. Hackbart	122-124-20
LT-718	M. Lynne Garnett	125-135-03
LT-724	Greg Ginocchio	125-163-30
LT-883	Robert G. and Angela M. Leonard	125-174-11
LT-151	Lisa Williams, Tr.	125-221-03
LT-165	Timothy E. Reiser	125-223-19
LT-752	Susan Quatela	125-223-21
LT-164	Dale D. and Joanne L. Bender Tr.	125-243-27
LT-431	Lawrence E. and Sandra G. Wessel	125-352-03
LT-157	Edward and Susan B. Russell, Tr.	125-372-15
LT-169	Clinton O. and Lois M. Lindseth	125-412-02
LT-174	Larry W. and Marcie K. Lanz	125-451-10
LT-472	Florence M. Lochrie, et al	125-492-11
LT-193	David A. and Joyce A. Dreyer	125-503-18
LT-747	Larry D. Massey	125-541-12
LT-205	Nicholas and Kathryn J. Abood	125-544-09
LT-206	Mary D. Merritt	125-551-17

Member Schmidt stated he had studied each petition and the submittals from the Assessor's office checking for clerical errors. He noted there were some reductions made by the Assessor's office for lot size, shape, traffic and access. He said he had carefully reviewed all the information and found no errors.

1:30 P.M. - BLOCK 2

04-98E HEARING NO. LT-124 – DIANE E. SCHMIDT
PARCEL NO. 124-840-03

A petition for Review of Assessed Valuation received from Diane E. Schmidt, protesting the taxable valuation on land and improvements located at 832 Northwood Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Diane Schmidt, Petitioner, was sworn and testified that she was here to protest her taxes. She said she purchased her condominium for \$312,000 eight years ago and the taxes were \$1,000 and now the taxes are \$3,900. Chairman Fox informed the Petitioner that the Board has no authority over taxes, does not set the tax rates or collect the taxes. The Board can only deal with the value of the property. He inquired if the Petitioner had anything to present that would show that the taxable value of the subject property is not correct. She stated she did not because she only received the Assessor's Exhibits today.

The Petitioner noted in 2003 her assessed value increased \$12,701. Chairman Fox stated there is no statutory limit on how much the taxable value can increase in any given year. The Petitioner stated she has no view from her parcel and inquired if that would make any difference. Chairman Fox noted the Petitioner had filed her petition on December 10, 2003, and advised that it is the Petitioner's burden of proof to show that the Assessor's value is wrong. He asked if the Petitioner had done anything between that date and today to gather the information and the Petitioner confirmed she had done nothing.

Appraiser Del Giudice, reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II and III.

In rebuttal, the Petitioner stated her purchase price was \$312,000 not \$310,000.

The Chairman closed the hearing.

Member Allison stated the purchase price in 1995 exceeds the current taxable value, and Member Schmidt said he was concerned that the taxable value could be lagging behind.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-840-03 be upheld.

04-99E HEARING NO. LT-881 – BYRON K. & KAREN HO
PARCEL NO. 124-800-01

A petition for Review of Assessed Valuation received from Byron K. & Karen Ho, protesting the taxable valuation on land and improvements located at 335 Alder Court #1, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice, reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-800-01 be upheld.

04-100E HEARING NO. LT-696 – JUDITH S. & HARLAN R. EDSON
PARCEL NO. 124-840-04

A petition for Review of Assessed Valuation received from Judith S. and Harlan R. Edson, protesting the taxable valuation on land and improvements located at 830 Northwood Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice, reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-840-04 be upheld.

04-101E HEARING NO. LT-751A & LT-751B – BRIAN & JUDITH A. LINDEROTH - PARCEL NO. 125-820-01 & 125-820-02

A petition for Review of Assessed Valuation received from Brian and Judith A. Linderoth, protesting the taxable valuation on land and improvements located at 609 Lariat Circle No. 1 and 609 Lariat Circle No. 2, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the reviewed and discussed.

Appraiser Del Giudice, reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II and III.

The Chairman closed the hearing.

Chairman Fox commented that there was no information on the petition concerning the owner's opinion of market value for their land, building or personal property, and the purchase price and purchase date were not completed. He said the petition stated that the reason for the owner's opinion that the subject property was improperly valued was due to valuation methods that are not supported by statute or regulation, and additional information would be provided to the Board at the hearing. Chairman Fox noted no additional information beyond the letter was presented to the Board.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel Nos. 125-820-01 and 125-820-02 be upheld.

04-102E HEARING NO. LT-211 – SUSAN O'BRIEN
PARCEL NO. 125-820-03

A petition for Review of Assessed Valuation received from Susan O'Brien, protesting the taxable valuation on land and improvements located at 609 Lariat Circle No. 3, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice, reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II and III. She said she would validate the view category if the Taxpayer contacted her to set up an appointment.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Fox, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-820-03 be upheld.

04-103E HEARING NO. LT-233 – LARA A. PEARSON
PARCEL NO. 126-081-03

A petition for Review of Assessed Valuation received from Lara A. Pearson, protesting the taxable valuation on land and improvements located at 1081 Lucerne Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051-MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice, reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II and III.

In response to Member Sparks, Appraiser Del Giudice explained that the Assessor uses an allocation method, which is allowed under NAC 361, to determine the land values for condominiums. She further explained that they looked at vacant land sales that later resold as improved, 29 sales were analyzed, and a median was determined showing that the land/building ratio was 23 percent, which was rounded up to 25 percent.

A discussion by the Board ensued regarding land values on condominiums and how they are determined. Chairman Fox said that the condominium land values in Incline Village are much lower than the single-family residential lots.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 126-081-03 be upheld.

2:30 p.m. Member Obester returned to the meeting.

04-104E HEARING NO. LT-231 – JOHN E. & CAROLE L. POLK
PARCEL NO. 126-081-18

A petition for Review of Assessed Valuation received from John E. and Carole L. Polk, protesting the taxable valuation on land and improvements located at 1084 Lucerne Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051-MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice, reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II and III.

The Chairman closed the hearing.

Member Sparks noted his concern about the low land values on the subject parcel. Chairman Fox and Member Obester concurred.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 126-081-18 be upheld.

04-105E HEARING NOS. LT-914, -694, -695, -936, -123, -209, -750, -810, -210, -489, -212, -232, -701, -230, -229.

Chairman Fox noted that the remaining petitions were all condominiums located at Incline Village; they all have the same petition language saying they would supply additional information at the hearing; and no other information has been supplied.

Member Allison commented that all the petitions stated that the reason for the owner's opinion that the subject property was improperly valued was due to valuation methods that are not supported by statute or regulation.

Member Obester stated that no property owners are in attendance and no one is here to represent them.

On motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the remaining petitions be consolidated into a single presentation.

The Clerk read each hearing number, property owner's name, and parcel number.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject properties and stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Member Schmidt stated he would be abstaining on the vote due to lack of experience regarding condominiums.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester voting "no," and

Member Schmidt abstaining, it was ordered that the taxable value of land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-914	Sonja J. Carlin	124-750-01
LT-694	Larry M. and Jan E. Rumball	124-750-02
LT-695	Lee O. and Barbara H. Welch	124-810-03
LT-936	Robert D. and Maxine J. Cook	124-810-10
LT-123	James A. and Marjorie M. Jones	124-810-14
LT-209	Walter C. Rogers	125-760-03
LT-750	C. Herman and Mary V. Terry	125-770-04
LT-810	Katherine J. Latham	125-780-01
LT-210	Paul J. and Maxine D. Liebendorfer	125-790-01
LT-489	Roger and Margaret Drue	125-800-04
LT-212	Harry A. and Johnnie L. Don	125-830-02
LT-232	David P. Henderson	126-081-06
LT-701	Robert H. and Gay M. Bohn	126-082-14
LT-230	Otto and Mary D. Kraus	126-082-48
LT-229	Robert H. and Anita Q. Lawe	126-082-61

2:45 p.m. The Board recessed.

6:30 p.m. The Board reconvened with all Board members present.

6:30 P.M. - BLOCK 3

04-106E HEARING NO. LT-832 - JOHN C. & CELINE A. NUGENT
PARCEL NO. 126-083-20

A petition for Review of Assessed Valuation received from John C. & Celine A. Nugent, protesting the taxable valuation on land and improvements located at 1190 Altdorf Terrace, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

John C. Nugent, Petitioner, was sworn, and testified that the taxes he pays have doubled in the last five years. Chairman Fox advised the Petitioner that this Board does not deal with taxes and its limited jurisdiction is whether the values the Assessor places on property is correct. He asked the Petitioner to tell the Board why he believes the value on his property is wrong. Petitioner Nugent stated he misunderstood because he felt the tax was incorrect. The Chairman again tried to direct the Petitioner to discuss the value of his property, but the Petitioner insisted on discussing his taxes.

In response to Member Sparks, Petitioner Nugent advised that he purchased the property in 1994 for \$400,000; and that the subject property is probably worth \$500,000 to \$600,000.

Petitioner Nugent then stated his property is in a depressed area of Incline Village; there are 42 stairs down the side of a mountain; he has no garage; he sits at a high elevation with tons of snow; and it is a hardship to live there. He further said word is going around that, if you have a home with a view of the lake, you are going to get raped; and he would consider his view "filtered." He added that he questions the legality of rating views.

Chairman Fox explained how land values are dictated by the market and views are considered in land values. He further explained the improvements are valued through Marshal Swift costing service less mandated depreciation, and these methods are all covered in the Nevada Revised Statutes. Chairman Fox also stated there are no limits on increases or decreases in values and there is no requirement that everything go up equally throughout the County.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She further advised that subject's base lot value was discounted ten percent for the stairs, which amounted to almost \$20,000. Appraiser Del Giudice stated she would like to incorporate Exhibits I, II and III into the presentation.

Member Allison asked if the Appraiser would be willing to go to the subject property and check the view classification. Appraiser Del Giudice stated she would be willing, but they did check the property last July; and that was when they made the adjustment for access.

Petitioner Nugent said it was his understanding that this was were he supposed to come to discuss the inequities in his taxes, and he was not aware of any other forum for taxes. Chairman Fox advised that one avenue would be to appeal to the State Legislature to change the tax laws. The Petitioner then asked if his assessed value translates into the taxes he pays. Chairman Fox said that would be correct. He further advised the Petitioner that he has the burden of proof to show that the Assessor's values on his property are wrong.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by The Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 126-083-20 be upheld.

A petition for Review of Assessed Valuation received from Laura M. Powers, Tr., protesting the taxable valuation on land and improvements located at 1130 Lucerne Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Tom McShane, the Petitioner's father, was sworn, and testified there are factual errors on the appraisal record. He said there are three bedrooms, not four; there is no wet bar; the property is not a condominium; and it is a single-family residence. He requested a reassessment of the view classification, stating that, when they originally purchased the property, there was a good view of the lake, but now it is almost entirely obscured by trees. The Petitioner stated he would meet someone at the property to check these things out. Chairman Fox stated there is a procedure in place whereby the Assessor will go out to the property on an appointment basis to review the view classification; and, if the Assessor finds an error, he will initiate the mechanism to have the value corrected. The Chairman further stated they do want the records to be correct, but advised that the number of bedrooms does not affect value, as the improvements are valued on a square foot basis. The Petitioner stated the square footage is correct. He asked if the Assessor could also verify that there is no wet bar when they come out. Chairman Fox stated the Petitioner has testified under oath that there is no wet bar, so that value can be deducted from the improvements at this time.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed full cash value. She further stated the Assessor would be happy to correct the records concerning the wet bar. Chairman Fox asked how much of the taxable value the wet bar represents. Member Sparks stated it would be \$927.49. Chairman Fox stated he would round it off to \$1,000. Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Petitioner asked how he makes arrangements to get one of the Appraisers to come out to his property. Appraiser Del Giudice gave him one of her cards and told him to call her.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal (no wet bar), on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 126-083-46 be upheld and that the taxable value of the improvements be reduced to \$145,454, for a total

taxable value of \$332,454.00. The Board also made the findings that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-108E HEARING NO. LT-220 – ROBERT P. SCHULTZ, TR
PARCEL NO. 126-084-05

A petition for Review of Assessed Valuation received from Robert P. Schultz, Tr., protesting the taxable valuation on land and improvements located at 1061 Lucerne Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Robert P. Schultz, Petitioner, was sworn, and testified that he has not been provided sufficient information regarding how his property was assessed, nor sufficient time to prepare for this appeal hearing. He further stated he does not believe his view classification can be determined without someone checking the view from his living room or deck. He requested the Board roll his value back to the 2002/03 value until the Assessor can justify the methodology used in determining the assessment.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written presentation and Exhibits I, II and III. In response to Member Sparks, Appraiser Del Giudice listed what the land values would be with different view classifications.

Petitioner Schultz stated he would like to make arrangements for Appraiser Del Giudice to come up to his property and double-check his view classification.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by The Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 126-084-05 be upheld.

HEARING NO. LT-703 – ANDREW C. SIKULA
PARCEL NO. 126-151-35

A petition for Review of Assessed Valuation received from Andrew C. Sikula, protesting the taxable valuation on land and improvements located at 321 Ski Way, #193, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 050 HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. She stated the Assessor does have a recommendation on subject property. Chairman Fox asked if the recommendation has been discussed with the property owner. Appraiser Del Giudice stated it has.

Andrew Sikula, Petitioner, was sworn and testified that he has looked up the entire Mountain Shadows complex and learned that he is significantly higher than everyone else. He requested the quality class correction the Appraiser recommended be applied to the last three years. He stated his assessed value has gone up significantly, but he does not believe the value of his property has gone up proportionately. Petitioner Sikula further stated he disagrees with the view ratings and the way the land portion is being calculated for condominiums. He stated his condominium is 33 years old and is in original condition, whereas the units that have sold for more have been upgraded and remodeled.

Chairman Fox advised this Board can only deal with the 2004/05 values, but there is a method for the Assessor to go back in correcting factual errors. He then asked the Petitioner if his argument was that the methodology used by the Assessor to value his land was not a valid method. Petitioner Sikula said that was correct.

Petitioner Sikula stated he also finds it odd that the improvements are depreciated every year, but the improvement values keep going up. Chairman Fox explained that improvements are not depreciated yearly from the original cost, but instead the new replacement cost value is computed every year and then depreciation is deducted.

Member Sparks noted the Petitioner paid \$298,000 for the subject property in April 2001, and the Assessor's current value is \$142,631.

Appraiser Del Giudice, reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market. She further stated there were no view adjustments made in this complex and the land value was determined by the median sales price of the sales in the complex and allocating the land to improvements at a 25 percent ratio. Appraiser Del Giudice said there were no building permits taken out on the units they have used as comparable sales, so their records do not show that any of the units were remodeled. She stated the Assessor would like to include Exhibits I, II and III in the presentation.

Chairman Fox asked if the allocation method is allowed by statute for calculating the land value. Appraiser Del Giudice stated it is under the Nevada Administrative Code (NAC) 361.118.

Member Obester confirmed that there are no view classifications on the subject property or on the comparable sales.

In rebuttal, Petitioner Sikula stated there may not be view classifications, but there are sold units with different views that are impacting his land value. Member Schmidt asked if the comparable sales used by the Assessor had better views than he has. Petitioner Sikula stated two of them would have better views, but the third probably has a worse view.

The Chairman closed the public hearing.

Member Schmidt stated that while the complex subject property is located in has no view ratings, the other condominium sales would have views, so he could not accept that methodology for determining the percentage. He further said that NAC 361.118 describes three different formulas and states the County Assessor **may** use one of the procedures. In addition, Attorney General Opinion 94-8-12, 1955, states "the County Board of Equalization has power to change formula of assessment adopted by Assessor to result in reduction of assessments, but such action must be taken as part of the process of equalization and cannot be done by merely rejecting current assessments and adopting those for previous year." Member Schmidt stated he would submit to the Board that the Board has full authority to change the formula.

Chairman Fox suggested Member Schmidt make a motion that would address the issues that he feels need to be addressed. Member Schmidt stated he was not prepared at this point in time based on the facts on this one case to approach the formula adopted; however, he would make a motion to reduce the land value, under discussion, somewhere between 5 and 15 percent. Legal Counsel Leslie Admirand pointed out a Nevada Supreme Court case, State vs. Sierra Pacific, which says that the Board cannot change the formulas. Member Schmidt asked for the date of that case.

Member Sparks stated the methodology of allocation is widely accepted; however view is not a primary determinate in other places as it is at Lake Tahoe. He said he was not sure if the allocation of a flat percentage across an entire project would be appropriate for Incline Village.

Member Schmidt moved that, based on the evidence presented by the Assessor and the Petitioner, to reduce the taxable land value by a factor of ten percent and to accept the adjustments to the improvements as recommended by the Assessor. Member Sparks seconded the motion.

Member Allison expressed her concern that such action would throw the whole complex out of equalization and stated she could not vote for the motion.

Member Sparks expressed concern that the Petitioner stated his property is valued higher than other units in the complex and that the sales prices in the complex are much higher than the Assessor's taxable value.

Chairman Fox called for a vote on the motion. The motion failed with Members Schmidt and Sparks voting "yes," and Members Fox, Allison and Obester voting "no."

Based on the FINDINGS that there was a clerical error (quality class), on motion by Member Obester, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no" and Member Sparks abstaining, it was ordered that the taxable value of the land be upheld on Assessor's Parcel No. 126-151-35 and the taxable value of the improvements be reduced to \$57,672, for a total taxable value of \$131,672.00. The Board also made the findings that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

Prior to the vote, Member Schmidt moved to amend the motion to include a five percent reduction in the land value. Chairman Fox asked if the amendment would be acceptable to Member Obester. Member Obester stated it would not and that his motion stands. Member Schmidt asked if there was a second to his motion. The motion died for lack of a second.

04-110E HEARING NO. LT-702 – TIMOTHY E. & JANICE L. HOPKINS
PARCEL NO. 126-101-09

A petition for Review of Assessed Valuation received from Timothy E. & Janice L. Hopkins, protesting the taxable valuation on land and improvements located at 321 Ski Way #37, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 050 HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried with Members Sparks and Schmidt abstaining, it was ordered that the taxable value of land and improvements on Parcel No. 126-101-09 be upheld.

04-110E HEARING NO. LT-704 – ROBERT & BETH CREIGHTON
PARCEL NO. 126-152-27

A petition for Review of Assessed Valuation received from Robert & Beth Creighton, protesting the taxable valuation on land and improvements located at 321 Ski Way #231, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 050 HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by The Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 126-152-27 be upheld.

04-112E HEARING NO. LT-236 – DIRK & JUDITH LIJESSEN
PARCEL NO. 126-152-29

A petition for Review of Assessed Valuation received from Dirk & Judith Lijensen, protesting the taxable valuation on land and improvements located at 321 Ski Way #133, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 050 HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written presentation and Exhibits I, II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried with Members Schmidt and Sparks abstaining, it was ordered that the taxable value of land and improvements on Parcel No. 126-152-29 be upheld.

04-127E HEARING NOS. LT-893, LT-228, LT-833, LT-834, LT-226, LT-225, LT-224, LT-223, LT-222, LT-835, LT-219, LT-221, LT-234, LT-235, LT-844, LT-237, LT-705 AND LT-238

Chairman Fox noted there were no more Petitioners present for the remaining hearings and the Board had no other letters, faxes or any other additional information on the remaining petitions. He asked if it was the Board's pleasure to combine the remaining hearings into one hearing. Member Sparks so moved, and Member Allison seconded the motion. Chairman Fox called for the vote on the motion and it carried unanimously.

Chairman Fox asked if the Assessor had anything to present. Appraiser Cori Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II and III.

Member Sparks commented that the Petitions appear to all be the usual petition form.

The Clerk of the Board individually called the above-referenced hearings by hearing number, property owner's name and parcel number. Chairman Fox asked if anyone knew of any reason why the public hearing should not be closed.

Chairman Fox noted that each of these petitions says precisely the same thing and state the petitioners are going to bring information to the hearing; and that has not occurred.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on the following parcels be upheld:

Hearing No.	Petitioner	Parcel No.
LT-893	Patricia P. Davis, Tr., et al	126-083-13

LT-228	James D. & Charlotte A. Jones	126-083-22
LT-833	Clive & Veronica M. Devenish, Tr.	126-084-09
LT-834	John Samarron Jr., Tr., et al	126-084-22
LT-226	Robert E. & Joy J. Armstrong	126-090-11
LT-225	Vincent G. Davis	126-090-18
LT-224	Herbert W. Acton, Tr.	126-102-04
LT-223	Herman C. & Barbara A. Hextrum	126-110-04
LT-222	Carmen A. & Dorothea M. Romeo	126-130-04
LT-835	Carlos & Betty P. Gonzalez, Tr.	126-130-12
LT-219	Victor & Linda Berliant	126-141-02
LT-221	John G. & Joellen Loughran, Tr.	126-141-07
LT-234	Lamar J. Kruitbosch	126-142-08
LT-235	Donald H. & Carole L. Derenale	126-152-18
LT-844	Andreas & Ulrike Keller, Tr.	126-153-03
LT-237	Giulio & Lorraine Sbragia, Tr.	126-153-04
LT-705	Kimberly Uberti	126-153-13
LT-238	Michael J. & Dana M. Polini	126-153-16

BOARD MEMBER COMMENTS

Member Allison stated the Board members have been appointed to a very important job in this community, and she finds it very troubling that people have submitted paperwork that does not reflect what they really want the Board to do. She said the Board members are bound by the paperwork that was submitted. That paperwork says the land values are "unknown;" they don't know what their purchase price was; and the valuation methods are not supported by statute or regulation. Member Allison stated she finds this very troubling, but she will proceed to do her best on these petitions.

Member Schmidt requested a future discussion concerning a legal workshop for the Board after February. He said the Board is charged with a grave responsibility and there are lots of unhappy taxpayers in the community. Member Schmidt stated he would like to review and analyze what authority and responsibility the Board has and how the Board could assist to calm the waters and create a better system for all concerned.

Member Sparks stated it would be very helpful to the Board members if they could know the taxable values of comparable properties. Chairman Fox noted the Board has asked for that information before and has now been told the Assessor would have that information available next week. Appraiser Ron Sauer advised the Assessor is working on providing that information.

PUBLIC COMMENTS

There was no response to the call for public comments.

* * * * *

8:40 p.m. There being no further hearings or business to come before the Board, the Board recessed until January 28, 2004, at 9:00 a.m.

F. RONALD FOX, Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy, Deputy Clerk
Lori Rowe, Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

WEDNESDAY

9:00 A.M

JANUARY 28, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member*
Gary Schmidt, Member
Steven Sparks, Member

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
David Watts-Vial, Deputy District Attorney
Peter Simeoni, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on January 23, 2004, in the Auditorium of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWALS

The following hearings scheduled for January 28, 2004, were withdrawn by the Petitioners:

- No. 240 - Charles A. and Mary L. Jones, Tr.
- No. 256 – Donald L. and Loretta S. Anderson, Tr.

9:00 A.M. – BLOCK 1

04-114E HEARING NO. LT- 707 – REX G. & ELSA PAY, TR.
PARCEL NO. 126-163-06

A petition for Review of Assessed Valuation received from Rex G. and Elsa Pay, protesting the taxable valuation on land and improvements located at 333 Ski Way, #285, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 050-MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice submitted Exhibit V, Incline Village Condominium Sales, and explained that the document contained the same sales as Exhibit I, plus the taxable total and taxable price per square foot of the sales. She confirmed the Exhibit was available to the public. In response to Member Sparks, she said that the taxable year was 2004. She stated that the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, Appraiser Del Giudice stated there are 42 units in Skyway Ridge Condominiums, 14 first-floor units, 14 second-floor units, and 14 third-floor units. Member Sparks clarified that the land value was divided by the total number of units and then allocated back to each individual condominium owner. Appraiser Del Giudice confirmed that was correct.

Member Schmidt asked for the total acreage of the project and the Appraiser's value placed on it. Appraiser Del Giudice explained that she did not have the acreage for the common area because it was not listed on the parcel map, but offered that she could calculate out the land value.

Member Allison asked if there was a base lot assessment placed on this project. Appraiser Del Giudice responded that the first and second-floor inside units have a base lot value of \$46,000, the first and second-floor outside units have a base lot value of \$51,000, the third-floor inside units are at \$61,000, and the third-floor end units are at \$70,000 per unit.

In response to Member Schmidt, Appraiser Del Giudice stated that the base lot for each condominium unit was determined by allocation, using sales prices in the building. She said that the common area improvements were costed and added to each unit's improvement value.

In response to Member Schmidt, Appraiser Del Giudice indicated that the zoning is HDS, high-density suburban. She stated that she was unsure if the buildings could be rebuilt except under compliance with the current zoning, but if that did occur, the property would be reappraised and reevaluated for the land and improvements.

Chairman Fox stated that under code the Board is to look at taxable value for subject's current use.

Member Schmidt inquired if each unit owned its footprint. Chairman Fox explained that because there are three stories, the total land is divided among the undivided interest in the total square footage to each unit; and in condominiums, no one owns the land but everyone has a common interest in all the land.

Member Schmidt asked if the parcel map reflected the entire project. Appraiser Del Giudice stated there is a summary map available for inspection, and with the overlays of first and second floors, it does constitute the total perimeter of the project.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 126-163-06 be upheld.

04-115E HEARING NO. LT-252 – DENISE M. SUNSERI, ET AL
PARCEL NO. 126-293-28

A petition for Review of Assessed Valuation received from Denise M. Sunseri, et al, protesting the taxable valuation on land and improvements located at 400 Fairview Blvd., #173 Bitterbrush, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Del Giudice stated that the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, David Watts-Vial, Deputy District Attorney, confirmed that the hearing was properly noticed.

Member Sparks asked the Appraiser to respond to the Petitioner's comments in the letter that "sales of comparable units in the complex increased only 5.7% since 2001 and there have been no comparable sales on record in 2000, and their property has increased approximately 40 percent in the land and 21 percent in total." He noted the Petitioner is asking how this dramatic increase in their taxable value can be justified. Appraiser Del Giudice stated that the land values in this complex have not increased since the 1998 reappraisal. She further stated that the change in the median is 62 percent higher from 1998 to 2003, and that it is not a comparison between the year 2000 and 2004, between 1998 and 2004. The Appraiser said the Assessor had to bring the land value up to market value for 2003, and that they are not just looking at that one-year period.

Chairman Fox commented that legal counsel has advised that there are no statutory limitations on the amount of increase or decrease to the assessed value in any year.

Member Allison indicated the comparable sales have values from \$425,000 to \$437,500 and that the taxable value of subject is \$252,845. She said that is considerably less than market value.

Member Schmidt noted the Petitioner is disputing the view classification. Appraiser Del Giudice stated the Assessor classified the views in this complex either V5 or V6 because they are up at the top and have good views.

In response to Chairman Fox, Appraiser Del Giudice said that if the property owner requested a verification of the view classification, it would be completed. She explained if it was necessary to change the value due to the view, the proper mechanisms would be followed to gain the necessary outcome.

Member Schmidt stated he sympathized with issues raised in the letter; and although the Appellant speaks towards a potential equalization problem, they brought forth no specific comparables to outline an equalization problem. He further stated based on the lack of evidence he cannot act upon their concerns, and that he would support the Assessor's position at this time.

Chairman Fox commented that the same methodology employed by the Assessor to arrive at land values for condominiums was reviewed by this Board last year and upheld; the same issue was then appealed to the State Board of Equalization and was again upheld; and there has been some legal action taken in court to question that methodology, but there has been no ruling on that yet.

Member Schmidt stated that, although he feels the methodology may need to be reconsidered, in this particular case the concept of the equalization problem is not argued with evidence so he cannot act upon it. He said in looking to the comparable sales, the taxable value of subject is far below the comparables and is less than market value.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 126-293-28 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-116E HEARING NO. LT-253 – ROBERT E. & KATHRYN B. HALLWORTH JR., PARCEL NO. 126-294-15

A petition for Review of Assessed Valuation received from Robert E. and Kathryn B. Hallworth Jr., protesting the taxable valuation on land and improvements located at 400 Fairview Blvd., #118 Bitterbrush II, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Del Giudice stated that the Assessor would stand on their written record and Exhibits I, II, III and V.

Member Sparks asked Appraiser Del Giudice to respond to the Petitioner's letter, where they state they cannot understand how their property could be assessed at a higher assessment, looking at similar and identical properties in the condominium development, and asked the Appraiser to put on the record the improved comparable sales. Appraiser Del Giudice stated that the comparable sales range from \$410,000 to \$420,000 or a per square foot price of \$189 to \$296. The subject property's total taxable value is \$168 per square foot.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 126-294-15 be upheld.

9:35 a.m. Member Obester arrived at the meeting.

04-117E HEARING NOS. LT-706, -239, -241, -242, -432, -258, -714, -305, -244, -454, -263, -245, -246, -251, -708, -254

Chairman Fox proposed that the remaining hearings be consolidated because there were no additional letters for the Board to consider and there were no Petitioners present.

Member Schmidt noted that on Hearing No. LT-254 there was a statement for the reason for owner's opinion. The Petitioner had stated that the taxes were too high.

Member Schmidt said that under the circumstances that was not substantial evidence that the Board could act upon. He agreed the hearing could also be consolidated.

Chairman Fox explained that the Petitions are for review of assessed values to the Washoe County Board of Equalization, and not for a review of taxes.

On motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that all the remaining petitions be consolidated due to the fact that no persons were present to represent the Petitioners, nor were there any letters or further evidence supporting the Petition received by the Assessor's office.

Member Schmidt noted that the Petitions all state that they have no opinion of their market value for the land and buildings, that the total value is unknown, the purchase price is unknown, and that the reason for requesting the review stated the valuation methods are not supported by statute or regulation. The petitions indicate that there would be materials supplied at the hearing, and no materials were submitted.

The Clerk individually called the above-referenced hearings.

Chairman Fox asked if there was anyone present to represent the Appellants or wishing to speak.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III, and V.

The Chairman closed the hearing.

Member Sparks noted that the Petitioners have filed a Petitions for Review of Assessed Valuation on the face of the Petition without any further attachments, and that there was no remedy asked for by the Petitioner.

Chairman Fox indicated that, as legal counsel has advised the Board, the burden is on the Petitioner to show by clear and convincing evidence that the assessed value is wrong; and the Board does not have that.

Member Schmidt noted that all of the Petitions were filed substantially before the deadline, so the Petitioners had time to address the issues.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-706	Lillian and Eugene A. Barna	126-161-06
LT-239	Dennis H. Hextall	126-161-07

LT-241	Alfred J. and Patricia G. Severino	126-163-14
LT-242	Richard and Marialyce Schromm	126-172-07
LT-432	Robert G. and Priscilla S. Dolan, Tr.	126-172-08
LT-258	Allen P. and Frances A. Bowman	126-173-01
LT-714	Robert E. and Yolanda A. Anderson, Tr.	126-173-21
LT-305	Kazuo Yamazaki	126-280-01
LT-244	BLP Family Estate Trust, Lee Paynter Trustee	126-280-02
LT-454	Michael J. Ulrych	126-280-18
LT-263	Scott and Karen Calkin	126-280-16
LT-245	Harold H. and Susan E. Berheisel	126-292-04
LT-246	Hassan Mostafavi-Kashani	126-292-10
LT-251	John L. and Donna Takacs, Tr.	126-293-04
LT-708	Ronald E. and Terri L. Miller	126-294-11
LT-254	John R. Morrison	126-294-43

9:45 a.m. The Board recessed.

1:30 p.m. The Board reconvened with all Members present.

1:30 P.M. - BLOCK 2

BOARD MEMBERS' COMMENTS

Member Schmidt stated he wanted to make some comments on the article that appeared in the newspaper today and on the hearings so far regarding allegedly short notice to the Petitioners. Chairman Fox stated this item is limited to announcements or topics/issues proposed for future agendas and asked Member Schmidt if that was what he was going to do. Member Schmidt said the Board had previously announced it would consider a workshop after the hearings are concluded to discuss the laws and other issues related to the Board's functions, responsibilities, and opportunities to provide service to the public. He said the noticing issue should also be included in that workshop.

04-118E HEARING NO. LT-717 – LYNN AND MELODY FETTERLY, TR. **PARCEL NO. 126-470-08**

A petition for Review of Assessed Valuation received from Lynn and Melody Fetterly, Tr., protesting the taxable valuation on land located at 1349 Valais Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051/HDS and designated vacant.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property, that it is a land consideration only and it is a vacant piece of property.

Lynn Fetterly, Petitioner, was sworn and testified that the subject parcel is a vacant lot, and he believed the value should be reduced to \$25,000, which is what he purchased the property for in July of 2002, for the following reasons. 1410 Tirol, valued at \$60,000, has a 900 IPES score, meaning the property has no coverage on it but can transfer Class 6 coverage, which is readily available. He stated that his parcel has an IPES score of 557, and it can only take Class 1, 2, or 3 coverage, none of which is currently available. The Petitioner further stated the second two comparable sales are very different lots. 1490 Tirol's IPES score is 732, which means it can transfer in Class 6 coverage also. 1395 Tirol has an IPES score of 650. He said he is requesting the subject parcel's value be reduced to \$25,000 because the IPES scores on the comparable sales were higher than on the subject property, and there are class and coverage differences also.

Petitioner Fetterly stated that his lot is 22 feet higher than the road and 12 feet back from edge of the pavement, which makes building expensive and difficult; and that is the reason the previous owner sold the lot to him for \$25,000. He also stated that access to the parcel is difficult, with erosion going on, that there is low coverage, and there are no permits. In response to a question by Chairman Fox, Petitioner stated that the purchase was an arms-length transaction.

Member Obester asked the Petitioner why he purchased the property. The Petitioner responded that he felt confident that he could go through the process and ultimately build on the parcel; and, if not, he could sell it to the Forest Service and at least break even.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated that in 1978 the property sold for \$25,000 and that Class 1 coverage is available. Appraiser Del Giudice then submitted an additional list of comparable sales that have occurred within the last three to four years. Chairman Fox directed her to provide a copy to the Petitioner. She then reviewed the coverage sales comparisons regarding the differences in IPES scores. In answer to Chairman Fox's question regarding topography, the Appraiser was not able to respond regarding Petitioner's access. Appraiser Del Giudice stated the Assessor would like to include Exhibits I, II, III and V in the presentation.

Member Schmidt asked the Appraiser if different coverage analyses were considered. Appraiser Del Giudice responded that it is the Assessor's practice to value all no-coverage lots the same, so that was not considered.

Member Obester asked for a discussion of the different classes of coverage. Ron Sauer, Senior Appraiser, advised that the system of classes was developed in the 1980's, with the lowest, class 1, being environmentally sensitive, and the highest, class 7, being about 30% coverage.

In rebuttal, the Petitioner said there is no coverage available through the homeowner's association. He explained that TRPA (Tahoe Regional Planning Agency) took all the coverage away from the undeveloped lots, allocated it back to the association, and then allowed a garage development program where an allocated amount of coverage would be available for homeowners who did not have garages to build garages. Petitioner further stated that none of that coverage is available to be used for any single-family development.

Petitioner also stated that the \$65,000 value on one of the comparable sales should not be considered because the IPES score is twice that of the subject property. He reiterated that he believes the accurate valuation for this lot is \$25,000, the price he paid for it.

Member Allison asked the Petitioner if he had made application to TRPA. Petitioner Fetterly confirmed that he had done so a year and a half ago. The Petitioner stated that two weeks ago TRPA gave him a conditional permit which included that he will have to bring in class 1, 2, and 3 coverage and a host of things he has to do to the property to build on it. In further response to Member Allison, the Petitioner stated the conditional permit is good for three years; and it will take over two years for him to be able to meet all the conditions.

The Chairman closed the hearing.

Chairman Fox stated that it is a generally held practice that the sale of the subject is the best indication of value; and, in this case, the sale of the subject property was \$25,000 and was close in time to the date of valuation. He also stated the Petitioner asserts there is difficulty in access, which the Assessor has not disputed; and the Petitioner claims it was an arms-length transaction, which the Assessor has also not disputed.

Based on the FINDINGS that adverse conditions were not considered by the Appraiser, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land on Parcel No. 126-470-08 be adjusted to \$25,000. The Board also made the findings that the land is valued correctly and the taxable value does not exceed fair market value.

**04-119E HEARING NO. LT-717 – LYNN L. AND MELODY A. FETTERLY,
TR.- PARCEL NO. 126-522-01**

A petition for Review of Assessed Valuation received from Lynn L. and Melody A. Fetterly, Tr., protesting the taxable valuation on land located at 1224 Tirol Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned HDS and designated “minor improvements.”

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property, which she states is a vacant parcel.

Lynn Fetterly, Petitioner, previously sworn, testified that he is requesting a decrease in valuation of the subject property from \$70,000 to \$35,000. He explained that he purchased the property in June of 2002 for \$114,500, with the seller representing that the property included coverage, all required permits, TRPA fees, and all other fees, all of which turned out to be false. When he purchased, there was a footing and foundation. These misrepresentations of the seller resulted in a lawsuit based on fraud. He tried to solve the problems with TRPA, to no avail. The Petitioner stated that, at one point the property did have all the coverage, but the prior owner let the permits expire and TRPA would not reinstate them.

In response to Chairman Fox's inquiry, Petitioner stated he has documentation to support his contentions, but did not have those materials with him.

In response to questioning by Chairman Fox, the Petitioner responded that he does have land coverage now on the property because he has purchased it in August 2003. The Petitioner further added that on the basis of the appraisal, the method of valuation should include taking his expenses into account.

Appraiser Del Giudice reviewed sales of comparable properties, stated the comparables do support her valuation of the property, and that the subject property is a buildable lot. She stated that her valuation is also supported by the Petitioner's investment in the property of \$144,500. When asked, she stated that she had not considered whether or not the amount paid by Petitioner was unreasonable for a vacant lot.

Chairman Fox clarified that there is a foundation but that TRPA would not allow Petitioner to utilize the foundation. The Appraiser stated that, although they were not aware of all the factors brought up by Petitioner, the Assessor feels their land value is a fair amount for a buildable lot in Tyrolian Village.

Member Sparks asked the Appraiser for clarification on the \$8,000 for improvements as it relates to the foundation, and whether the foundation is usable or not. The Appraiser stated that she does not have first-hand knowledge, but since it is on the lot the Assessor valued it.

In rebuttal, the Petitioner stated the Assessor is looking at \$114,500 for what he originally paid for the property. He stated he wanted to clarify that he paid \$30,000 for the additional coverage, and the total of \$144,500 is not accurate because the \$114,500 included what was represented to be all of the coverage for the property.

Petitioner Fetterly then discussed the Assessor's comparable sales, stating that 1330 Arosa, which sold for \$75,000, included \$18,000 worth of coverage; and on the

detailed sheet of comparable sales, there were almost no other properties without coverage. The Petitioner asserted that the most comparable sale was the one for \$65,000, which initially had a much higher IPES score.

The Petitioner also stated that a portion of the footing and the foundation that existed on the property when he purchased the lot was used, but a portion of it had to be demolished in order to proceed with development of the property.

The Petitioner reiterated that there are no other properties without coverage being sold at that level, that the comparable sales have higher IPES scores, and that additional expenses will have to be incurred in order to make the lot buildable.

The Chairman closed the hearing

Chairman Fox remarked that the process the Board needs to follow would be to start with the original purchase price, deduct from that the things that do not represent land value or were misrepresented, and then add back in those things which have been cured.

Member Allison stated that the Petitioner did not bring any information to itemize his purported costs. Chairman Fox responded that the Board has had testimony that the value of coverage is \$30 per square foot.

Member Sparks commented that the testimony was that there was approximately \$109,000 spent in curing the defects from the purchase, of which \$25,000 was for legal fees; the remainder was \$84,000, and \$30,000 was spent for coverage and \$54,000 for permits. He said if the \$54,000 was subtracted from \$114,500, the result is \$64,500, which is pretty close to the \$70,000 value by the Assessor.

Member Schmidt discussed the comparable sales and stated the sales in 2002 are similar in coverage and value, and appear to support the taxable value of the subject property.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Members Sparks and Obester voting "no," it was ordered that the taxable value of land on Parcel No. 126-522-01 be upheld.

**04-120E HEARING NO. LT-268 – ROBERT A. AND BARBARA A. DOSS,
TR. - PARCEL NO. 126-460-14**

A petition for Review of Assessed Valuation received from Robert A. and Barbara A. Doss, Tr., protesting the taxable valuation on land and improvements located at 1311 Moritz Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

A discussion ensued concerning the Petitioner's allegation of insufficient notice of the hearing. Chairman Fox stated the notifications do meet all the requirements of the statute, and the Assessor is also making some other notifications not required by statute, such as phone calls, so he believes notification has gone beyond that required by law.

Member Allison commented the Petition was filed on 12/8/03 with the Petitioner stating that he would provide additional information. She said the Petitioner did supply a letter, but it does not offer any information as to the owner's opinion of value, nor when subject property was purchased, or what the original purchase price was.

Appraiser Del Giudice oriented the Board as to the location of subject property and reviewed sales of comparable properties substantiating that the total taxable value does not exceed fair market value. She stated the Assessor would stand on the written presentation submitted and contained in Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 126-460-14 be upheld.

04-121E HEARING NO. LT-433 – VERNE JERRY UNGER
PARCEL NO. 126-470-07

A petition for Review of Assessed Valuation received from Verne Jerry Unger, protesting the taxable valuation on land and improvements located at 1351 Valais Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051 HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Chairman Fox stated that item 5 in the letter says that the taxable value is greater than full cash value, but the Petitioner indicated that he does not know what the full cash value is.

Member Sparks commented that the property was sold in 1999 for \$88,000.

Chairman Fox stated that item 4 in the letter states that there was an error made, but that the Petitioner does not say what the error was; and that item 3 states that the fair economic income expectancy does not justify the valuation. Chairman Fox noted he does not believe the subject property is an income producing property, so that would not be a factor to be considered. Chairman Fox stated that item 2 in the letter points to adverse factors that were not considered, but Petitioner does not say what the adverse factors are.

Member Allison stated that the Petitioner filed the Petition on December 22, 2003 but has not provided anything to substantiate the claims.

Appraiser Del Giudice, reviewed sales of comparable properties substantiating that the total taxable value does not exceed fair market value. She stated the sale in 1999 for \$88,000 was not a market transaction but was part of a transaction deleting the subject property from a trust. She stated the Assessor would stand on the written presentation submitted and contained in Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 126-470-07 be upheld.

04-122E HEARING NO. LT-271 – DAVID DUFFIE, TR.
PARCEL NO. 126-510-08

A petition for Review of Assessed Valuation received from David Duffie, Tr., protesting the taxable valuation on land and improvements located at 01327 Tirol Drive, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051-HDS and designated single-family residence.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit "A," which was reviewed and discussed by the Board.

Member Sparks noted the letter made reference to comparable vacant land sales with lower values as reflected in Attachment A. He said he did not have Attachment A.

Chairman Fox and the other Board members stated they did not have an Attachment A. Chairman Fox stated that the Petitioner's letter appears to be same letter that has been circulated via the internet, asking for the same conditions and the same generalizations that the Board as seen.

Chairman Fox noted that the Petitioner is requesting that the Board incorporate by reference into the record all appeals and all of the facts and testimonies presented in the appeals for both the 2003/04 and 2004/05 assessments. The Chairman stated the Board is only hearing this subject property for this year, and that is all that will be incorporated into the record. He asked that, when a motion is made on subject property, that something to that effect be included in the motion.

Appraiser Del Giudice, reviewed sales of comparable properties substantiating that the total taxable value does not exceed fair market value. She stated that the Assessor would stand on the written presentation submitted and contained in Exhibits I, II, III and V.

The Chairman closed the hearing.

Member Schmidt noted that there was a reference in the letter that the Petitioner was denied access to some information or records, but the Board has no evidence to substantiate that.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 126-510-08 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

Later in the meeting, Chairman Fox noted that the Clerk has now passed out Attachment A to the Board. He stated the Assessor received the Attachment on January 28 at 12:10, for the hearing that was set for 1:30; and the Assessor brought it to the Board at 2:42. He stated, if it was the Board's pleasure, the hearing should be reopened to consider new information.

On motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that Hearing No. LT-271 be reopened.

Member Allison commented that the comparables given to them by the Assessor's office are not just vacant lots but are homes, which closed escrow in May 2003, March 2003 and April 2002. She further noted the Petitioner bought the subject property on October 13th, 2002 for \$270,000, and the Assessor's total taxable value is \$128,405.

Appraiser Del Giudice commented that two of the sales presented by the Petitioner are on the land sales list that was given to the Board earlier and they are non-coverage sales.

Chairman Fox cautioned the Board members to remember what was heard in the original hearing and the documentation from that original hearing is all pertinent to the decision being made.

Chairman Fox closed the hearing. He then asked for a new motion concerning the subject property. A discussion ensued concerning the previous motion and the new evidence.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 126-510-08 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-123E HEARING NO. LT-716 – STEPHEN AND SUSAN OTSUKI
PARCEL NO. 126-510-11

A petition for Review of Assessed Valuation received from Stephen and Susan Otsuki, protesting the taxable valuation on land and improvements located at 1300 Uri Ct., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051 HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. She stated that she visited the property during the reappraisal but has not been by the property recently.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Member Obester asked the Appraiser if she agreed the land is affected by adverse factors, as shown in item number 2. Appraiser Del Giudice stated she disagreed and said the statements describe Tyrolian Village in general.

Appraiser Del Giudice commented that the Petitioner's Attachment A indicates two land sales that are non-coverage sales. She stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Sparks commented on the Petitioner's contention that the view is over valued and is indicated as VM. Appraiser Del Giudice explained that VM is the same as V0, indicating a view of the mountains. She further said all the parcels in this area are VM, unless they do have a lake view, which the subject property does not have.

Chairman Fox asked the Appraiser if anything is added to the base lot value for a VM view and the Appraiser responded it is not.

Member Allison asked the Appraiser to clarify if comparable sale TVI 47, at the opposite end of the building, sold in 2002 for \$321,000 and that the subject property has a value of \$142,499. Appraiser Del Giudice stated that was correct. She added that the subject property is currently listed on the market for \$435,000.

Member Schmidt asked if the VM designation is assigned to this project or used elsewhere in Incline Village. Appraiser Del Giudice stated this is within Tyrolian Village, because they all have mountain views; and the Assessor does not adjust base lot values for mountain views. Member Schmidt then suggested that these designations be consistent so it would be less confusing to the Appellant and the Board.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Parcel No. 126-510-11 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-124E HEARING NO. LT 839 – MARION R. AND ADELINE A. DAMERON, TR. - PARCEL NO. 126-510-18

A petition for Review of Assessed Valuation received from Marion R. and Adeline A. Dameron, protesting the taxable valuation on land and improvements located

at 1301 Uri Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051 HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board

Chairman Fox commented that the letter refers to the magnitude of the increase, and added that statutorily there is no limit on the amount of increases or decreases in the assessed value.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on the written presentation submitted and contained in Exhibits I, II, III and V.

Member Obester asked the Appraiser how she would respond to the Petitioner's question as to why the land value had gone up by 76% in one year. Appraiser Del Giudice stated that would have been in the 2003 reappraisal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 126-510-18 be upheld.

**04-125E HEARING NO. LT-273 – WILLIAM AND KIMBERLY
SCHWARTZ - PARCEL NO. 126-521-04**

A petition for Review of Assessed Valuation received from William AND Kimberly Schwartz, protesting the taxable valuation on land and improvements located at 1214 Styria Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051/HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Chairman Fox commented that the Petitioner brings up the timeliness of the notice for the hearing. He stated legal counsel has reviewed the noticing, and the Board has been informed that the notices are adequate and meet statutory requirements.

Appraiser Del Giudice, reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed full cash value. She stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Member Sparks remarked that the Petitioner is requesting that the Board reduce the assessed value to more accurately reflect reality, and asked the Appraiser if she was showing a sales date of March 19, 2001 for \$363,966, to which the Appraiser responded affirmatively. Member Sparks then confirmed that the Assessor's taxable value is \$260,771.

Member Allison stated that the petition was filed on December 10, 2003, and the Petitioner stated that they would bring other information to the hearing to support their allegation that the valuation methods were not supported by statute or regulation; but the Petitioner has failed to do so. Member Allison further stated the Board's responsibility is to review the taxable value, but based on the Petitioner's limited assertions that they did not know the purchase price, the date of purchase or the suggested value, she was inclined to support the Assessor in this case.

Chairman Fox closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 126-521-04 be upheld.

04-126E HEARING NO. LT-26B – CAROL JUAREZ, ET AL.
PARCEL NO. 126-450-18

A petition for Review of Assessed Valuation received from Carol Juarez, et al., protesting the taxable valuation on land and improvements located at 1332 Zurich Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051/HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Member Sparks commented that Petitioner stated he had requested the Assessor's Office records in mid-December and asked the Appraiser if the information was sent. Appraiser Del Giudice advised, if such a request was received, a packet was sent out.

Chairman Fox stated that the Board has heard allegations several times that the Assessor has not responded to various taxpayers, and the Assessor's testimony has been that they do respond to all requests they receive. He advised the Board that they can only review what is before the Board concerning value, and that it will be noted in the record that the Appellant says the Assessor has not responded to them.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written presentation submitted and contained in Exhibits I, II, III and V.

The Chairman closed the hearing.

Member Allison commented that the Board does appreciate receiving letters and will try to address the issues that are covered in the letters provided the Board is given information that will help to refute any information presented by the Assessor. She indicated that today the Board received an evaluation showing that the property next door to the subject property sold on October 16, 2003 for \$370,000 and has a taxable value of \$100,133, which led her to believe she must support the Assessor on the subject.

Member Obester commented that he finds it interesting that the property owner is asking the Assessor to do her homework for her when the burden of proof is on the property owner to provide any comparable sales to the Board.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 126-450-18 be upheld.

04-127E HEARING NOS. LT-255, -257, -264, -265, -902, -709, -715, -266, -939, -838, -267A, -912, -270, -272

Petitions for Review of Assessed Valuation received from the following property owners protesting the taxable valuation on land and improvements on various properties located in Incline Village, Washoe County, Nevada, were set for consideration at this time.

Chairman Fox stated there are no more Petitioners present, the Board has no letters or additional information on the remaining hearings, and the petitions are very similar, if not exactly the same. He asked if anyone finds any reason why the remaining properties are not similar enough to be consolidated and heard together.

Member Sparks commented that the Petitions appear to all be on the standard petition form.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the remaining petitions be consolidated and heard together.

The Clerk individually called the remaining hearings. Chairman Fox asked if there was anyone present to represent the Appellants. There was no response.

Cori Del Giudice Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and stated The Assessor would stand on their written presentation submitted and contained in Exhibits I, II, III and V.

The Chairman closed the hearing.

Member Schmidt remarked that these petitions are all the same; they have "unknown" shown under their opinion of land value, building value and total; they state the purchase price and purchase date is "unknown;" and the reason for appeal is that "valuation methods are not supported by statute or regulation." He further noted each petition indicates they will be supplying additional documentation or evidence at the hearings, but the Board has received nothing even though the petitions were filed in December.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-255	Spencer and Roberta M. Kaitz	126-302-03
LT-257	Frank M. and Elizabeth Pugliese	126-510-13
LT-264	George and Donna L. Kwachak	126-490-04
LT-265	Dudley H. and A. Ursula Aalders	126-460-12
LT-902	Kamran Bahar	126-460-01
LT-709	Alexander and Terri L. Cole	126-450-11
LT-715	Severin Family Revocable Trust	126-440-05
LT-266	Gene H. and Judith R. Purvis, Tr.	126-440-03
LT-939	Kenneth O. and Lynne E. Swanson Tr.	126-430-41
LT-838	Stephen T. and Inez J. Merchant, Tr.	126-430-26
LT-267A	Joseph P. and Gwen A. Wetzler	126-430-12
LT-912	W. Patrick and Carol L. Sullivan, Tr.	126-301-07
LT-270	James R. Silvers, Tr.	126-430-31
LT-272	Samantha Hall	126-430-34

PUBLIC COMMENTS

There was no response to the call for public comments.

* * * * *

3:30 p.m. There being no further hearings or business to come before the Board, the Board recessed until January 30, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Lori Rowe, Deputy Clerk and
Sharon Gotchy, Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

FRIDAY

9:00 A.M

JANUARY 30, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member
Gary Schmidt, Member
Steven Sparks, Member

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
Peter Simeoni, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on January 28, 2004, in the Auditorium of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petitions, scheduled for hearing on January 30, 2004, were withdrawn by the Petitioners:

Hearing No. LT-10 - Starr Funded Revocable Trust - APN No. 122-090-21

Hearing No. LT-321 - M. Ronald Avery, Jr., et al - APN 127-300-61

9:00 A.M. - BLOCK 1

04-128E HEARING NO. LT-306A & B – MICHAEL E. & KAY C. CONN
PARCEL NO. 127-100-13 & 127-077-12

A petition for Review of Assessed Valuation received from Michael E. Conn, protesting the taxable valuation on land and improvements located at 811 Southwood Blvd. #13, Incline Village, Washoe County, Nevada, and 939 Incline Way #213, Incline Village, Washoe County, Nevada were set for consideration at this time. The property is zoned 046 MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, LT-306A pages 1 through 4, and LT-306B pages 1 through 7, oriented the Board as to the location of subject properties.

Petitioner, Michael Conn, was sworn and stated that he wanted to know the basis for the 2002/2003 evaluation because he does not believe the Assessor has used

proper methods. He alleged that his properties were not evaluated under fair and equal methods and procedures as required by Nevada law to be uniform for the entire State. He said what was missing in all of this was any comparison of full taxable values to market values with any other properties in the remainder of Washoe County. The Petitioner said Incline Village/Crystal Bay has been unfairly assessed and the Assessor has not presented any data to show that the assessments are equal throughout the County. Mr. Conn pointed out errors in the Assessor's records stating these are 4-plexes, not one unit per building. He also believed the zoning designation was incorrect. The Petitioner stated the values on his properties were excessive and requested his properties be reduced back to the 2002 values and the Board direct the Assessor to establish new, legal methods of appraisal. He further stated he should be awarded a tax refund based on the difference in valuation resulting from the reappraisal together with interest on excess taxes paid.

Legal Counsel Peter Simeoni stated the only relief the Board can grant is for this tax year. Petitioner Conn asserted that his remarks concerning errors in the appraisal go back to 2002 and the Board should consider that this year's factor was based on values that were incorrect.

Member Sparks asked the Petitioner if it was true that he purchased the Brookstone (LT-306A) condominium for \$94,000 in 1992 and it is currently assessed at \$99,000. Petitioner Conn stated that was correct. Member Sparks asked if it was correct that he purchased the McCloud property (LT-306B) in 2003 for \$372,500 and the current taxable value is \$197,971. Petitioner Conn stated that was correct.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable values do not exceed full cash value on subject properties. Concerning the Petitioner's remarks about the number of units and the zoning, the Appraiser stated the subject in LT-306A is a townhouse end unit and was costed, according to Marshall Swift, as such; and the Assessor does not feel the zoning is relevant because the property is valued according to its use.

Chairman Fox asked specific questions concerning whether Marshall Swift had a category for townhouses. Appraiser Del Giudice stated it does. The Chairman also asked if the Nevada Revised Statutes require that the Assessor use Marshall Swift for costing. Senior Appraiser Ron Sauer stated that requirement is in the Nevada Administrative Code.

Member Allison asked if it was correct that the three comparable sales the Assessor furnished were all from mid-2003 and were for \$255,000, \$279,000 and \$261,000 and the subject property's taxable value is \$99,449. Appraiser Del Giudice stated that was correct.

A discussion ensued concerning townhouses versus condominiums and how the land is valued in these types of developments.

Chairman Fox asked whether the Assessor had done any ratio studies comparing taxable values to market values for all of Washoe County. Appraiser Del Giudice stated that has been done and is included in Assessor's Exhibit I. Senior Appraiser Ron Sauer stated the median ratio for single-family residences in Incline Village is 66 percent of market value, for condominiums in Incline Village the ratio is approximately 43 percent, and the rest of Washoe County is 72 percent. Chairman Fox confirmed that the study reflects that the ratio of taxable values to market value in Incline Village is actually lower than in the remainder of Washoe County.

Appraiser Del Giudice then reviewed sales of comparable properties on Hearing No. LT-306B, substantiating that the Assessor's taxable value does not exceed fair market value. She stated of significance is the sale of the subject in September 2003 for \$372,500. She further stated the Assessor would like to include Exhibits I, II, III and V in the presentation.

Petitioner Conn stated he had nothing to add in rebuttal.

The Chairman closed the hearing.

Member Allison stated the Board appreciated the Petitioner appearing and presenting his case; however, it does appear that both of these properties are valued considerably less than the market value.

Member Schmidt stated the issue of equalization has been raised, but it seems to him that subject properties are substantially lower than comparable properties in greater Washoe County; and there has been no evidence presented that subject properties are out of equalization with their immediate neighbors.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel Nos. 127-100-13 & 127-077-12 be upheld.

04-129E HEARING NO. LT-276A - ROBERT M. & ELEANOR J. HOFF TR
PARCEL NO. 126-570-32

A petition for Review of Assessed Valuation received from Robert M. & Eleanor J. Hoff, protesting the taxable valuation on land and improvements located at 1429 Tirol Dr., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She advised that the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 126-570-32 be upheld.

HEARING NO. LT-276B ROBERT M. & ELEANOR J. HOFF TR
PARCEL NO. 127-110-14

A petition for Review of Assessed Valuation received from Robert M. & Eleanor J. Hoff, protesting the taxable valuation on land and improvements located at 825 Southwood Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value. She stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of land and improvements on Parcel No. 127-110-14 be upheld.

04-130E **HEARING NO. LT278 – PATRICK & LISA SCHEUFLER**
PARCEL NO. 127-050-05

A petition for Review of Assessed Valuation received from Patrick Scheufler, protesting the taxable valuation on land and improvements located at 150 Village Blvd., #19, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed. Member Sparks noted the Petitioner raised the issue of the view and indicated their view was blocked by trees. Appraiser Del Giudice stated the Assessor has a V0 classification on the subject property.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed full cash value. She stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of land and improvements on Parcel No. 127-050-05 be upheld.

04-131E HEARING NO. LT-719B- RONDA D. TYCER
PARCEL NO. 127-072-02

A petition for Review of Assessed Valuation received from Ronda D. Tycer, protesting the taxable valuation on land and improvements located at 170 Village Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter Exhibit A, which the Board reviewed and discussed. Member Sparks noted the Petitioner stated there is a discrepancy in the square footage between the Assessor's records and the sales literature for her condominium. Appraiser Del Giudice stated the sales literature presented does not actually show the subject property, and the Assessor obtains these numbers from the parcel map.

Appraiser Del Giudice stated the Assessor would stand on their written presentation including Exhibits I, II, III and V.

The Chairman closed the hearing. He suggested the Assessor may want to make arrangements with the property owner to check the dimensions and make sure the

numbers are correct. Member Schmidt confirmed that if the Assessor found there was an error in the square footage, they could correct it without coming back to the Board.

Member Allison reviewed the comparable sales noting that subject is valued considerably less than units in the same complex are selling for.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II, III, and V on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 127-072-02 be upheld.

04-132E HEARING NO. LT-281 – JOHN D. & EVELYN B. LOCKTON
PARCEL NO. 127-072-26

A petition for Review of Assessed Valuation received from John D. & Evelyn B. Lockton, protesting the taxable valuation on land and improvements located at 144 Village Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. She stated the Assessor would stand on their written presentation including Exhibits I, II, III and V.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed and discussed by the Board. Member Sparks noted the Petitioner stated the units in the complex have been bought and sold for relatively the same price because of a construction defect. Appraiser Del Giudice stated that is not reflected in the market and since 1998 there has been a 58 percent increase in the median sales price for these units. Member Sparks asked if the renovation work being done could result in a decrease in the depreciation, effectively increasing the value of the building. Senior Appraiser Ron Sauer explained that it was siding that was replaced, and the Assessor could adjust the value if the change was more than 10 percent of the replacement cost new.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 127-072-26 be upheld.

04-133E HEARING NO. LT-285 – FRED P. & MARGARET S. BARRIE TR
PARCEL NO. 127-073-09

A petition for Review of Assessed Valuation received from Fred P. & Margaret S. Barrie, protesting the taxable valuation on land and improvements located at

947 Incline Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. She stated the Assessor would stand on their written presentation including Exhibits I, II, III and V.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 127-073-09 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties made under separate cover and by representatives of The Village League to Save Incline Assets be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-134E HEARING NO. LT-754 – LOWELL W. & NADENE O. RUSSELL
TR. - PARCEL NO. 127-074-04

A petition for Review of Assessed Valuation received from Nadene O. Russell, protesting the taxable valuation on land and improvements located at 947 Incline Way #163, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. She stated the Assessor would stand on their written presentation including Exhibits I, II, III and V.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed and discussed by the Board. Member Schmidt asked the Appraiser to comment on the Petitioner's statement that they believed their land was valued as if their condominium was on its own residential lot. Appraiser Del Giudice stated the land was valued on the allocation method based on condominium sales within the same complex.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 127-074-04 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-135E HEARING NO. LT-290 – HAROLD V. & LYNETTE L. KEIR
PARCEL NO. 127-077-10

A petition for Review of Assessed Valuation received from Harold V. & Lynette L. Keir, protesting the taxable valuation on land and improvements located at 939 Incline Way #209, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. She stated the Assessor would stand on their written presentation.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 127-077-10 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-136E HEARING NO. LT-292 – ARTHUR R. & CATHY K. SAUER
PARCEL NO. 127-078-12

A petition for Review of Assessed Valuation received from Arthur R. Sauer, protesting the taxable valuation on land and improvements located at 939 Incline

Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046 LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Petitioner was not present, but submitted a letter. Exhibit A, which was reviewed and discussed by the Board. Member Schmidt asked the Appraiser to comment on the Petitioner's statement in the letter that sale prices are falling for units in subject complex. Appraiser Del Giudice stated that since 1998, there has been a 58 percent increase in the sale prices of these condominiums.

The Chairman closed the hearing.

Member Allison noted that subject property was purchased by the Appellant in 2000 for \$315,000 and the Assessor's taxable value is \$200,036.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 127-078-12 be upheld.

04-137E CONSOLIDATED HEARINGS - HEARING NOS. LT-274, -275, -277, -840, -279, -280, -753, -903, -282, -283, -284, -862B, -286, -287, -288, -289, -291, -295, -296, -297A & -755

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located at Incline Village, Washoe County, Nevada, was set for consideration at this time.

Chairman Fox asked if there was anyone in the audience wishing to appear for any of the hearings left on the 9:00 a.m. schedule. There was no response. He then asked the Assessor and the Board members if there was any reason the remaining hearings could not be consolidated. There was no response.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, Chairman Fox ordered that the remaining hearings listed in the 9:00 a.m. block on today's agenda be consolidated.

Member Schmidt stated he has reviewed all the remaining petitions and noted that the Owners' Opinions of Value, the purchase dates and the purchase prices are either marked "unknown" or "N/A" (not applicable); and the reason on all of the petitions is that "valuation methods are not supported by statute or regulation". He further noted

that each petition also states that information will be supplied at the hearing, but the Board has no other information.

Nancy Parent, Chief Deputy Clerk, then called the remaining hearings by hearing number, property owner's name, and parcel number.

Appraiser Del Giudice, duly sworn, stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Allison stated the Board members have received the Assessor's appraisals of these properties and she has reviewed the same.

Chairman Fox expressed his frustration with petitions where the owner claims they do not know when they bought the property or how much they paid for it, nor do they have an opinion of the market value of their property.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-274	Bruce Falkenberg	126-550-14
LT-275	David Schmenk, Tr.	126-560-38
LT-277	Edward S. & Jane L. Seaman, Tr.	126-580-15
LT-840	Marlin H. & Marlene T. Korfhage	126-590-08
LT-279	Egisto J. & Mary L. Fanti, Tr.	127-060-18
LT-280	David B. & Erina Cherry, Tr.	127-071-34
LT-753	William R. Demeo, Tr.	127-072-16
LT-903	Peter V. & Corlene W. Horan	127-072-17
LT-282	John R. & Cynthia R. Lewellen	127-072-18
LT-283	George A. & Shirley J. Navone, Tr.	127-072-22
LT-284	Charles E. & Joanne M. Gottesman	127-073-08
LT-862B	David & Kathryn Pasek, Tr.	127-073-21
LT-286	Weaver Family Properties, LLC	127-074-21
LT-287	Anthony B. & Anna Pagliughi	127-075-18
LT-288	John H. Rohan	127-076-10
LT-289	Wayne L. & Mary E. Proffitt, Tr.	127-077-03
LT-291	Richard D. Talbot, Tr.	127-077-15
LT-295	Clark A. & Vera Nunes, et al	127-100-08
LT-296	Bruce L. & Marjorie N. Hamilton	127-100-10
LT-297A	Jerauld J. & Maureen K. La Barber	127-100-11
LT-755	Jennefer C. Peele, Tr.	127-100-14

10:40 a.m. The Board recessed.

1:30 p.m. The Board reconvened with all Members present.

1:30 P.M. - BLOCK 2

04-138E **HEARING NO. LT-4 – GEORGE K. HURWITZ, TR**
PARCEL NO. 122-060-15

A petition for Review of Assessed Valuation received from George K. Hurwitz, Tr., protesting the taxable valuation on land and improvements located at 557 Lakeshore Blvd., #6, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

George K. Hurwitz, Petitioner, was sworn, submitted a letter and supporting documents, Exhibit A, and testified that adverse factors were not considered by the Assessor in determining the taxable value of his property; and there was an error in computing taxable value. The Petitioner presented his letter and supporting documents to the Board on an overhead projector.

Leslie Admirand, Legal Counsel, explained that there is a provision in the Nevada Administrative Code (NAC) for assessing contaminated property, but to have property assessed using those methods it has to be declared contaminated by the Assessor's office. She said there is a process outlined in NAC that the property owner has to follow that requires them to provide documentation, maps, and reliable evidence to the Assessor to have that property declared contaminated. She stated that process and declaration by the Assessor's office needs to occur before the assessment date of the property.

The Petitioner stated he was not aware of the process. Chairman Fox said that for the purpose of the hearing the contamination issue would not be considered in valuing the property, other than how it may be reflected in comparable sales.

Chairman Fox commented on the Petitioner's letter in regard to the Assessor granting a 10 percent reduction to lakefront homes last year. He explained that it was the Board of Equalization that granted the reduction and the Board was very specific in who received the reduction and it did not include condominiums.

Ms. Admirand clarified that the statement by the Petitioner in his letter in regard to the Assessor having to acknowledge and make changes for the previous fiscal year where warranted was referencing two sections in the statute. She said one statute deals with clerical or typographical errors and the other deals with factual errors, neither of which apply in the situation.

The Petitioner stated that he felt the Assessor had the obligation in certain cases to review previous assessments, if warranted.

In response to Member Schmidt, the Petitioner explained that the Department of Public Health began drillings on the condominium property in 2003 to look for contamination from the Orbit gas station. He clarified the comparable sales used in his presentation.

Appraiser Cori Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and V. She said that the per acre analysis is irrelevant because the subject property is a condominium and they are valued on a present use and per site basis. The subject property is one condominium site.

In response to Member Schmidt, Appraiser Del Giudice confirmed that someone purchasing a condominium at Crystal Shores Villa in 1999 would have found the Orbit gas station rezoned from Commercial to Parks and Recreation.

Member Sparks inquired about the use of the property to the east of the Orbit property, and Appraiser Del Giudice confirmed it to be commercial use. In response to Member Sparks, she said that easements are common on lakeshore properties, and acknowledged that there are other properties that have a beach road down to the lake that the Incline Village General Improvement District (IVGID) uses for sewer pumping. Member Sparks stated he believed adjustments had been made in the past due to the adverse impact of the trucks using the beach road as compared to other beachfront properties. Chairman Fox confirmed this and stated a ten percent adjustment had been given by the Board last year to some lakefront properties.

In response to Member Sparks, Appraiser Del Giudice confirmed that it is common to find multi-family land, such as a condominium, selling for a higher per unit cost than a single-family land parcel.

Member Schmidt questioned Appraiser Del Giudice regarding the comparable sales and if there would be any impact of the Orbit gas station on those parcels, and she said there would not be any impact.

In response to Member Obester, Appraiser Del Giudice stated the adverse factors had not been considered for any type of a reduction. She said the contamination issue was first brought forward today, and the land value was determined using comparable sales.

In rebuttal, the Petitioner stated the Appraiser's comparables are not comparable at all because they are far away from his property.

In response to Member Sparks, the Petitioner confirmed that the Orbit station was there when he purchased his property, and that there are commercial properties east of the station.

The Chairman closed the hearing.

Chairman Fox said he would be agreeable to give relief due to the location of a pumping station on the property. He stated the Assessor testified they did not give consideration to the pumping station, and the Board could consider this. He acknowledged, in regard to contamination on the property, there is not good sales data to show what affect it has had on the property.

Member Schmidt stated he would not consider the comparable sales as he found them to be inappropriate, and there were no comparable sales presented by the Assessor to back up the information.

In response to Member Sparks, Ms. Admirand said that if a reduction in the land value was given for the parcel, due to the location of the pumping station, the Board could extend the reduction to the other parcels that are on the agenda today.

Based on the FINDINGS that adverse factors were not considered by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Members Obester and Schmidt voting "no", it was ordered that the taxable value of land on Assessor's Parcel No. 122-060-15 be reduced to \$247,500 and that the taxable value of the improvements be upheld for a total taxable value of \$297,105. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-139E HEARING NO. LT-3 – FREDERIC L. AND ADRIENNE G. PURTILL, TR - PARCEL NO. 122-060-09

A petition for Review of Assessed Valuation received from Frederic L. and Adrienne G. Purtill, Tr., protesting the taxable valuation on land and improvements located at 557 Lakeshore Blvd., #5, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Chairman closed the hearing.

Member Sparks stated, though the Petitioner was not present, the Board would be considering the evidence and testimony presented in Hearing No. LT-4 to formulate their decision concerning the subject property.

Based on the FINDINGS that adverse factors were not considered by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Members Obester and Schmidt voting "no," it was ordered that the taxable value of land on Assessor's Parcel No. 122-060-09 be reduced to \$247,500 and that the taxable value of the improvements be upheld for a total taxable value of \$297,343. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

Member Schmidt stated he voted "no" because he feels the land value should be decreased back to the 2002 amount based upon the adverse affect of rezoning the Orbit gas station back up to commercial and the appearance of a detrimental environmental problem in the general area.

Member Obester said he voted "no" because he did not believe the subject property was adversely affected by the pumping station and the easement situation located on the property.

04-140E HEARING NO. LT-6 – FRANCES M. COOK TRUST
PARCEL NO. 122-060-20

A petition for Review of Assessed Valuation received from Frances M. Cook, Tr., protesting the taxable valuation on land and improvements located at 557 Lakeshore Blvd., #11, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and IV.

The Chairman closed the hearing.

Member Sparks stated, though the Petitioner was not present, the Board would be considering the evidence presented in Hearing No. LT-4 to formulate their decision concerning the subject property.

Based on the FINDINGS that adverse factors were not considered by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Members Obester and Schmidt voting "no," it was ordered that the taxable value of land on Assessor's Parcel No. 122-060-02 be reduced to \$360,000; and that the taxable value of the improvement be upheld for a total taxable value of \$409,843. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

Member Schmidt stated he voted "no" because he feels the land value should be decreased back to the 2002 amount based upon the adverse affect of rezoning the Orbit gas station back up to commercial and the appearance of a detrimental environmental problem in the general area.

Member Obester said he voted "no" because he did not believe the subject property was adversely affected by the pumping station and the easement situation located on the property.

04-141E HEARING NO. LT-612 – WILLIAM S. & POLLY L. CLARK, TR.
PARCEL NO. 122-080-02

A petition for Review of Assessed Valuation received from William S. and Polly L. Clark, Tr., protesting the taxable valuation on land and improvements located at 525 Lakeshore Blvd., #75, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, Appraiser Del Giudice confirmed that no view classifications were involved in the land valuation of the property and no time adjustments were applied to the parcel. She further confirmed that a "front foot" dollar value was not applied to the property. She said that none of the comparables used to determine the land value had a garage.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-080-02 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-142E HEARING NO. LT-613 – GERALD J. & JANE FITZGERALD, TR.
PARCEL NO. 122-080-13

A petition for Review of Assessed Valuation received from Gerald J. and Jane Fitzgerald, Tr., protesting the taxable valuation on land and improvements located at 525 Lakeshore Blvd., #64, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and V.

Member Sparks inquired if unit #39 was one of the sales used by the Assessor and Appraiser Del Giudice said it was not. In response to Member Sparks, she said that Unit #53 was used as one of the sales and the sales verification letter stated the unit was not sold furnished.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-080-13 be upheld.

04-143E HEARING NO. LT-847 – JOHN R. DOOLITTLE, TR.
PARCEL NO. 122-080-26

A petition for Review of Assessed Valuation received from John R. Doolittle, Tr., protesting the taxable valuation on land and improvements located at 525 Lakeshore Blvd., #51, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, Appraiser Del Giudice said only condominium sales were used to determine the land value.

Member Schmidt stated he was not satisfied with the formula used for determining the land value and could sympathize with the Petitioner's statement that it is unfair to compare smaller units with mansions, which have been built on the lake in recent years.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-080-26 be upheld.

04-144E HEARING NO. LT-8 – BERT W. AND BARBARA A. JENSEN, TR.
PARCEL NO. 122-080-43

A petition for Review of Assessed Valuation received from Bert W. and Barbara A. Jensen, Tr., protesting the taxable valuation on land and improvements located at 525 Lake Shore Blvd., #34, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice reviewed sales of comparable properties and stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, Appraiser Del Giudice stated that she searched the Washoe County records for the 2004 sale referred to in the Petitioner's letter and could not find the sale. She confirmed no view classification was used for the land valuation for subject complex. It was valued as a lake front property.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-080-43 be upheld.

04-145E HEARING NO. LT- 870 – STACEY L. DOOLITTLE
PARCEL NO. 122-090-01

A petition for Review of Assessed Valuation received from Stacey L. Doolittle, protesting the taxable valuation on land and improvements located at 549 Lakeshore Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and V.

Member Sparks referenced the letter in regard to the method used for determining the value and inquired if the method was acceptable in determining land value in multi-family condominium projects. Appraiser Del Giudice confirmed the method to be acceptable.

In response to Member Sparks, Appraiser Del Giudice stated that there was no sale less than the taxable value on the subject property of \$457,489.

The Chairman closed the hearing.

Member Schmidt stated there was no evidence presented to prove the property was out of equalization or that the taxable value was greater than the market value. He said he may not believe the method used by the Assessor to be the best formula to use to determine the value of the property, but the formula is legal and the Assessor is authorized to use it.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-090-01 be upheld.

04-146E HEARING NO. LT-9A&B – HERBERT E. AND BARBARA B. WILSEK, TR. - PARCEL NOS. 122-090-14 & 122-090-25

A petition for Review of Assessed Valuation received from Herbert E. and Barbara B. Tr., protesting the taxable valuation on land and improvements located at 549 Lakeshore Blvd., #14 and #25, Incline Village, Washoe County, Nevada, was set for consideration at this time. The properties are zoned 035-LDU and designated condominiums.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. She stated no objection to combining the hearings, and the Board members were agreeable to this also.

The Petitioner was not present, but a telephone message from the Petitioner, Exhibit A, was read into the record by the Clerk.

Appraiser Cori Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value the land and improvements on Assessor's Parcels Nos. 122-090-14 and 122-090-25 be upheld.

A petition for Review of Assessed Valuation received from Marjorie G. Moulton, protesting the taxable valuation on land and improvements located at 549 Lakeshore Blvd., #25, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, Appraiser Del Giudice stated the Assessor has effective ages for the condominium complex. She said comparables would show different depreciation for different units even though they have the same actual age. She confirmed that the property was a lakefront property and there was no adjustment for view. She explained that the Assessor does consider sweeping mountain views and the panoramas of the Carson Valley, as mentioned in Exhibit A.

Appraiser Del Giudice explained that when the land value was determined, the actual sales price was used, not the time adjusted sales price. The time adjustment that was being addressed in Exhibit A was something the Assessor used in their analysis last year for a specific Board inquiry, and it was not used to value the land for this project. She stated that unadjusted sales prices were used for the land valuation estimate.

Member Schmidt inquired how long it had been a policy to rate all lakefront properties with the same view and not adjust for obstructions. Ron Sauer, Senior Appraiser, stated as long as he was aware there has not been another policy. In response to Member Schmidt, Appraiser Del Giudice stated \$600,000 was the base lot value for lakefront properties in this complex.

Member Allison said the property is considerably less than market value. Mr. Sauer explained that the process the Assessor used was to look at the 2003 sales of condominium units in Incline Village and compare the sales to the 2004 taxable value. The median ratio was 43 percent on condominiums, for single-family residences the median ratio was 66 percent and for the rest of Washoe County, exclusive of Lake Tahoe, the ratio was 72 percent of market.

Member Allison commented that there has been a substantial increase in values up at Lake Tahoe and this affects people, like Ms. Moulton, who would not be expecting such a large increase and yet the values support an even higher increase. She said this is troubling and difficult for the people who are sending in petitions.

Chairman Fox said that relative to the rest of Washoe County, the Incline Village properties are valued at a median taxable value which is less than the median taxable value when compared to market value anywhere else in the County.

Member Schmidt stated he would be abstaining on subject property because he has concerns with the procedures and equalization issues, but he acknowledged the fact that the subject property would appear to be valued substantially below market value. He said he has concerns with the long-standing policy that makes no adjustments for obstructions of views for lakefront properties.

Member Obester inquired about view classifications in other parts of Washoe County beyond the Lake Tahoe area, and Mr. Sauer explained that views are taken into consideration and adjustments are made, but there are no specific view classifications except for views of Lake Tahoe.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-090-24 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-148E HEARING NO. LT-647 – BRIAN BROWDER
PARCEL NO. 122-460-01

A petition for Review of Assessed Valuation received from Brian Browder, protesting the taxable valuation on land and improvements located at 769 Mays Blvd., #11, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-460-11 be upheld.

04-149E HEARING NO. LT-651 – JOANNA N. WILLIAMS
PARCEL NO. 122-510-49

A petition for Review of Assessed Valuation received from Joanna N. Williams, protesting the taxable valuation on land and improvements located at 501 Lakeshore Blvd., #49, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Chairman closed the hearing.

Chairman Fox stated there is no statutory limitation on the magnitude of increases or decreases of assessed values.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-510-49 be upheld.

04-150E HEARING NOS. LT-447, -5, -614, -615, -7, -616, -12, -13, -14, -60, -648, -649, -72, -650, -73, -74

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located at Incline Village, Washoe County, Nevada, was set for consideration at this time. The properties were zoned 035-LDU and 046-MDU and designated condominiums.

Chairman Fox acknowledged there were no petitioners remaining to be heard and no additional letters to review and discuss; and he inquired if the Board or the Assessor had any reasons to state that would prevent the Board from consolidating the remaining petitions. Member Sparks read into the record the written statement on the petition of Hearing No. LT-5, and he said the statement would not prevent consolidation. Chairman Fox stated there is no statutory limitation on the magnitude of increases or decreases of assessed value.

Member Sparks said all the remaining petitions were the same, stating the owner's opinion of market value, purchase price and date were marked, "unknown;" and all the petitions stated that the reason for the owner's opinion that subject property was improperly valued was due to valuation methods that are not supported by statute or regulation.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that all the remaining petitions be consolidated due to the fact that no petitioners were present to state their cases, all petitions stated the same information, no additional information was provided to the Board and the Assessor reviewed the petitions and stated their willingness to stand on their written record.

The Clerk called each hearing and parcel number individually.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of the subject properties. She stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Chairman closed the hearings.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-447	Thurid B. Lininger, Tr.	122-080-10
LT-5	Lundquist Partners	122-080-16
LT-614	James A. and Sandra S. Walsh	122-080-19

LT-615	Benjamin Jr. and Marian M. Kopf, Tr.	122-080-33
LT-7	Gordon and Ann C. Cuneo	122-080-40
LT-616	Goodrich Grumet Investment Corp	122-090-08
LT-12	James W. Foley, Jr.	122-090-26
LT-13	Gordon E. and Esther Mawson	122-090-27
LT-14	Richard K. Seegmiller, Tr.	122-090-31
LT-60	Gerald G. and Tina E. Yesson	122-460-15
LT-648	Troger First Family Ltd Ptsp	122-510-03
LT-649	Wilford H. and Beverly M. Hartman	122-510-10
LT-72	Richard E. and E. Florence Oliver	122-510-11
LT-650	Troger First Family Ltd Ptsp	122-510-12
LT-73	Leslie E. Jr. and Diane K. Inman	122-510-27
LT-74	Wilbur P. and Betty L. Clarke, Tr.	122-510-32

3:45 p.m. The Board recessed.

6:30 p.m. The Board reconvened with all Members present.

6:30 P.M. BLOCK 3

**04-151E HEARING NO. LT-318 – JASON AND URSULA APPEL
PARCEL NO. 127-300-53**

A petition for Review of Assessed Valuation received from Jason and Ursula Appel, protesting the taxable valuation on land and improvements located at 123 Juanita Drive, #90, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Member Allison said the letter did not have any requests for the Board, no comparables were listed from the Petitioner and no information was provided to assist the Board in changing the valuation.

Member Obester noted the letter was vague and did not offer anything concrete for the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and V. In

response to Chairman Fox, she explained the Assessor's Exhibits and said the Exhibits have been made available to the public.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-300-53 be upheld.

04-152E HEARING NOS. LT-756, -757, -298, -904, -299, -300, -307, -308, -309, -310, -758, -905, -311, -312, -490, -313, -314, -315, -316, -340B, -317, -319, -320, -322, -323, -324, -325, -326, -327

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located at Incline Village, Washoe County, Nevada, was set for consideration at this time. The properties were zoned 046-MDU and designated condominiums.

Chairman Fox stated there was no one present to represent any of the remaining hearings, and he inquired of the Board and Assessor's office if there was any reason why the hearings could not be consolidated.

Member Sparks acknowledged that each of the petitions gave no information concerning the owner's opinion of market value for the land, building or personal property, and no statement of purchase price or date was presented. He said the petitions state the Petitioners are protesting the value of the land, building and personal property and the reason given was the valuation methods are not supported by statute or regulation. The petitions notated the Petitioners would provided attachments at the hearings and these have not been provided. He confirmed that each petition has exactly the same markings.

Member Allison stated the Assessor has provided the Board with complete appraisals of each property. She said the Board has had time to review the petitions, but no additional information has been given to the Board for consideration.

On motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that all the remaining petitions be consolidated.

Member Schmidt noted there were attachments on Hearing No. LT-326, but they were only in regard to correcting an incomplete parcel number, which the Assessor confirmed to be corrected.

The Clerk called each hearing and parcel number individually.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. She stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Petitioners were not present.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-756	Gregory N. Madjeski	127-110-16
LT-757	Donald and Janet K. Craine, Tr.	127-110-24
LT-298	Robert A. and Florence S Moore	127-131-04
LT-904	Ramona Smith	127-131-14
LT-299	Fred C. and Carol L. Chan	127-131-16
LT-300	Myron J. and Beverly Z. Levy, Tr.	127-131-18
LT-307	Erik Miglins et al	127-132-05
LT-308	Monica Armanino et al	127-132-12
LT-309	Gerald and Songe Gotzmer, Tr.	127-132-13
LT-310	Leigh and Christine B. Gouveia	127-132-22
LT-758	Charles A. and Precida C. Harris, Tr.	127-132-28
LT-905	Dario A. and Katherine J. Baciocco, Tr.	127-143-31
LT-311	Francesca Anderlini et al	127-290-01
LT-312	Donald P. and Virginia R. Tafjen, Tr.	127-290-08
LT-490	Montgomery and Lauri K. Merrill	127-290-18
LT-313	Peter and Priscilla Allsman, et al	127-290-04
LT-314	Norman and Karen Jackson	127-300-05
LT-315	Ronnie C. and Debra J. Reid	127-300-08
LT-316	Hubert V. and Sandra D. Templin, Tr.	127-300-34
LT-340B	Vector Laboratories, Inc.	127-300-36
LT-317	John and Esther Mote, Tr.	127-300-46
LT-319	Carl H. and Carrol R. Irwin, Tr.	127-300-57
LT-320	Mike and Elizabeth Gordon, Tr.	127-300-58
LT-322	Nunzio S. Alioto, et al	127-300-71
LT-323	Norman J. Jr. and Pat G. Deback	127-300-74
LT-324	Kenneth W. and Esther D. Brown, Tr.	127-300-83
LT-325	Joseph and Judy Alioto	127-300-87
LT-326	Gordon W. and Jamie M. Miller	127-300-89
LT-327	K & J Bhargavan	127-300-90

* * * * *

PUBLIC COMMENTS

Member Schmidt stated that all actions taken by the Board of Equalization to date were within the law and reasonable under the circumstances. He said the presentations by the Assessor's staff have been professional; and in his contacts with the Assessor's office personnel, they have acted and performed in a professional and proficient manner. He stated they have been generous and cooperative with their time in assisting him. He also acknowledged the Board Members for their cooperation. He thanked the Petitioners who took the time to appear before the Board and encouraged them to take further advantage of their administrative remedies if they were so inclined.

6:50 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 3, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy, Deputy Clerk
Lori Rowe, Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

TUESDAY

9:00 A.M

FEBRUARY 3, 2004

PRESENT:

F. Ronald Fox, Chairman

Martha Allison, Vice Chairman

Jon Obester, Member

Gary Schmidt, Member

Steven Sparks, Member

Amy Harvey, County Clerk

Nancy Parent, Chief Deputy Clerk

David Watts-Vial, Deputy District Attorney

Ernie McNeill, Senior Appraiser

The Board met pursuant to a recess taken on January 30, 2004, in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the Petitioners:

Hearing No. LT-797 - Joseph P. and Sandra K. Bourdeau, Tr. - Parcel No. 131-131-05

Hearing No. LT-842 - Kenneth H. and Marilyn Erickson - Parcel No. 131-012-09

9:00 A.M. - BLOCK

DISCUSSION AND ACTION - POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the Board would first consider the hearings where the Petitioner was present, then consider any petitions where a letter or additional information was submitted, and then any remaining hearings that assert the same or similar reason(s) for the appeal would be considered for consolidation.

PUBLIC COMMENTS

Suellen Fulstone, Attorney representing The Village League to Save Incline Assets, and also representing Ted and MaryLou Harris, Incline Village property owners who are scheduled on today's agenda, advised that, on behalf of The League and Mr. Harris, she filed a complaint against Washoe County and the Washoe County Board

of Equalization alleging that the hearings scheduled for this week and next week are being held in violation of the Open Meeting Law. She requested the Board defer these hearings until the issue of notice to the Petitioners has been resolved.

04-153aE ROLL CHANGE REQUESTS - DECREASES

Following discussion, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, Chairman Fox ordered that Roll Change Requests Nos. 20 through 24, resulting in decreases and placed on file with the Clerk, be approved for the reasons stated thereon.

04-153E HEARING NO. LT-350 – JANIS K. DYER, TR.
PARCEL NO. 128-031-05

A petition for Review of Assessed Valuation received from Janis K. Dyer, protesting the taxable valuation on land and improvements located at 971 Little Burro Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043 HDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner, Janis K. Dyer was sworn. Chairman Fox noted the petition filed by Ms. Dyer states that the Petitioner does not know when she bought the property, how much she paid it, or her opinion of market value. The Chairman asked Ms. Dyer if that was correct. Ms. Dyer stated that was correct at the time she wrote her letter. Chairman Fox asked her if she knows that information now. Ms. Dyer said she does. The Chairman said the petition should be completed and asked the Appellant when she bought the property. Ms. Dyer responded it was in December 1991. Chairman Fox asked her what the purchase price was. Ms. Dyer stated the purchase price was \$405,000. Chairman Fox asked Ms. Dyer for her opinion of the market value of her property. Petitioner Dyer stated she has an appraisal prepared by Lavonne Johnson on March 12, 2000, which she would like to go through in her testimony, and would leave with the Board (Exhibit B).

Petitioner Dyer had submitted a letter, Exhibit A, which she read. She reviewed the history of her land and improvement values from 1993 comparing land to improvement percentages as well as comparing the percentage of total assessed value to purchase price. Ms. Dyer also presented figures for the median residential sales increases for Incline Village properties for the past three years. The Petitioner then presented her calculation of values based on her ratios and percentages and requested that her land value be reduced back to the 2001/02 level.

Petitioner Dyer further stated that she compared her 2004 assessed land value to her neighbors; and the results varied from \$175,000 to \$225,000 for comparable

properties, which is a \$50,000 discrepancy. She stated her lot is approximately .25 acres and the Assessor shows .27 acres. Chairman Fox asked the Petitioner if she had provided the Assessor with a list of the properties she believed were out of equalization. Ms. Dyer stated she had not.

Petitioner Dyer also testified that her house is not a teardown. She said she has no information regarding view classifications or how detrimental factors affect values because the Assessor failed to provide the information she requested.

Member Allison thanked Ms. Dyer for appearing and providing information. She reconfirmed that the Petitioner purchased the subject property in 1992 for \$405,000 and the Assessor's taxable value for 2004 is \$398,228. Ms. Dyer stated that was correct. She also expressed that it was her understanding that market value is not the same as assessed value and, according to her calculations, is approximately 50 percent. Member Allison pointed out that is not always correct.

Chairman Fox stated the Lavonne Johnson appraisal set the value at \$600,000 in March 2000.

Appraiser Lopez submitted Exhibit VI, Assessor's Comparable Sales, Eagle Drive. Chairman Fox asked if the Assessor had provided a copy of this Exhibit to the Appellant. Appraiser Lopez handed a copy to Ms. Dyer. The Appraiser then described subject property and the neighborhood in general and reviewed sales of comparable properties, both vacant land and improved properties, substantiating that the Assessor's taxable value does not exceed fair market value. He further stated the Assessor would also include Exhibits I, II and III in the presentation.

Member Sparks confirmed that the Assessor valued the land according to the same methodology as other properties using vacant land sales and the improvements were valued using the cost replacement method provided by the Marshall & Swift costing service less depreciation.

In rebuttal, the Petitioner reiterated that the Assessor did not respond to her request for information concerning the appraisal of her property. Senior Appraiser Ernie McNeill noted the Assessor's office did receive the Petitioner's request on January 23, 2004; and, apparently, the request did not get passed on to Appraiser Lopez. He emphasized there was no intentional failure to provide the information.

Petitioner Dyer then pointed out errors between the Lavonne Johnson appraisal and the Assessor's appraisal record stating that her construction quality is average, not good; the roof is now metal, not shingled; and the Assessor's square footage is incorrect. Chairman Fox compared the square footage numbers noting a difference of approximately 80 feet. The Petitioner stated she did not know whether the loft was included or not.

Member Sparks reconfirmed that the Petitioner was using the Lavonne Johnson appraisal to refute the Assessor's values, yet the Assessor's values for both land and improvements are considerably less. Petitioner Dyer stated she is aware that the Johnson appraisal is market value, but reiterated her contention that the assessed values are not the same as market values, based on her research as she explained in her letter.

The Chairman closed the hearing. He then explained how the Assessor is required, by law, to value land at market value and to value improvements according to replacement cost less depreciation. He stated it appears to him that the Assessor is low on the land value.

Member Allison stated it appears that the Petitioner believes there are certain percentages put in place, and that is not the formula allowed under State law. She stated the market value of the subject property far exceeds the Assessor's taxable value.

Member Schmidt expressed his concern that the Petitioner was not provided the information she requested and cited statutes and County resolutions concerning the timeframes for responding to records requests. He advised the Petitioner there are remedies available for access to public records.

Member Obester commented that the subject's taxable value is only about 67 percent of its market value.

Chairman Fox stated this Board sits to measure whether the Assessor's taxable values are correct and it is the property owner's burden to show by clear and substantial evidence that the values are wrong. He said he has not seen that. Further, he pointed out that the Board has no jurisdiction over whether the Assessor provided requested information.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 128-031-05 be upheld.

04-154E HEARING NO. LT-763 – ROBERT COMPERCHIO ETAL
PARCEL NO. 128-032-04

A petition for Review of Assessed Valuation received from Robert Comperchio, protesting the taxable valuation on land and improvements located at 964 Little Burro Ct., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043 HDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner, Robert Comperchio, was sworn. Chairman Fox pointed out that the petition filed by Mr. Comperchio states that he does not know the owner's opinion of market value, or when he purchased the property, or how much he paid for the property. Mr. Comperchio stated he does not know what the market value of his property is, and he purchased the property in January 1995 for \$300,000. Mr. Comperchio testified that the Assessor's view classification on his property is V2, and stated he has no view because of trees and another home. Chairman Fox advised the Petitioner that he should make an appointment with the Appraiser to have the view rechecked; and, if it is in error, the Appraiser will make the correction. Petitioner Comperchio stated he also believes there should be an adjustment for the steepness of his driveway.

Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and VI.

Petitioner Comperchio stated he would make an appointment with the Assessor to have his property inspected.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 128-032-04 be upheld.

04-155E HEARING NO. LT-764 – JEANNIE MURRIETA
PARCEL NO. 128-041-12

A petition for Review of Assessed Valuation received from Jeannie Murrieta, protesting the taxable valuation on land and improvements located at 969 Redfeather Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043 HDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner, Jeannie Murrieta, was sworn. Chairman Fox asked the Petitioner if it was correct that she did not know when she bought the property. Petitioner Murrieta stated they built the house in 1978. She also stated that she does not know the fair market value of her property. Chairman Fox asked if she was alleging that the taxable value exceeds fair market value. Petitioner Murrieta testified she is not alleging that and stated she is requesting that her view classification be changed to VO because she has no view. Chairman Fox advised that she can make an appointment with the Assessor to check her view; and, if the classification is in error, the Assessor can correct it.

Appraiser Lopez stated the Assessor would stand on their written presentation including Exhibits I, II, III and VI. He also noted the Assessor's records indicate the home was built in 1979; and, if that is in error, the depreciation would be affected, so he would verify the information and make sure the records are accurate.

Member Obester asked what the value would be if the view classification was V0. Appraiser Lopez responded the land value would be \$150,000.

Petitioner Murrieta stated it was probably correct that they did not finish construction until 1979. She then read a letter into the record, which was not placed on file with the Clerk, requesting the Board not tax hard-working people out of their homes.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of land and improvements on Parcel No. 128-041-12 be upheld.

04-156E HEARING NO. LT-768 – MICHAEL O. & ANITA K. MCKEE
PARCEL NO. 128-241-08

A petition for Review of Assessed Valuation received from Michael O. and Anita K. McKee, protesting the taxable valuation on land and improvements located at 721 Bunker Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 041 HDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner, Michael McKee, was sworn. Chairman Fox noted the petition states that the Petitioner does not know when he bought the property or how much he paid for the property. Mr. McKee stated he purchased the property in 1978 for \$167,000. The Chairman also asked him if he has an opinion of the market value of his property. The Petitioner stated there has only been one sale on Bunker Court and he has not really researched the value. Petitioner McKee then testified it was his understanding that he was being assessed for a golf course view and said that the 12th hole does run by his property, but it is down in a canyon and they don't really see it. He stated they do have a nice view of the ski hill. He requested the assessment of his land be rolled back to the 2001 values. Petitioner McKee stated he finds it interesting that the values in Incline Village are so much higher than the values in Douglas County, right across the lake.

Chairman Fox advised that this Board can only consider properties in Washoe County. He also noted that there have been many studies comparing taxable

values to market values for properties in Washoe County, and the percentages for Incline Village have always been lower than in the rest of Washoe County. The Chairman stated he has no knowledge of how Douglas County compares to Washoe County.

Appraiser Lopez submitted Exhibit VII, Mountain Golf Course comparable sales, and reviewed vacant land sales that were used to establish the land value for subject. He further stated subject is a Mountain View Golf Course lot, is not being valued as a view lot, and there is no adjustment for a lake view.

Member Sparks stated he believes view is a factor in land values. He also noted that on Exhibit III, the appraisal record, there are no numbers in the RCN (replacement cost new) column to show how the Assessor calculated the taxable value of the improvements.

10:35 a.m. The Board recessed and directed the Appraiser to get the numbers.

10:45 a.m. The Board reconvened.

Appraiser Lopez stated Senior Appraiser Ernie McNeill was at the Assessor's office trying to get the numbers to print out.

In rebuttal, Petitioner McKee stated there is no golf course in Incline Village called Mountain View Golf Course. He said for years it was known as the Executive Golf Course, and last year the name was changed to Mountain Golf Course. Member Schmidt asked the Petitioner if he was contesting his improvement values. Mr. McKee stated his argument was with the land value.

Member Allison explained to the Petitioner that the Assessor's total taxable value is \$576,476 and asked him if he thought that was an accurate figure. The Petitioner stated he believed his neighbor's home sold for \$660,000 in 2000 so he would assume his property would sell for a similar price.

The Chairman closed the hearing.

Member Sparks expressed concern that the Assessor's records were incomplete. Member Allison agreed but noted that it does appear that subject's taxable value is considerably less than the market value. The Chairman also agreed that the Assessor's records should have been complete, but stated he could proceed since the Petitioner stated he was not objecting to the improvement value.

Member Schmidt stated some of the comparable land sales are substantially larger lots, and he was not sure they support the subject's land value; although he does agree the Assessor's taxable value is less than the market value.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded

by Member Obester, which motion duly carried with Members Sparks and Schmidt voting “no,” it was ordered that the taxable value of land and improvements on Parcel No. 128-241-08 be upheld.

04-157E HEARING NO. LT-351 – DIANN BRIONI TR
PARCEL NO. 128-041-01

A petition for Review of Assessed Valuation received from Diann Brioni, protesting the taxable valuation on land and improvements located at 747 Eagle Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043 HDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor’s Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and VI.

Chairman Fox closed the hearing.

Member Allison noted that it is not within the Board's jurisdiction to determine whether the valuation methods used by the Assessor are supported by statute or regulations.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 128-041-01 be upheld.

It was further ordered that the current year, 2004/05, is the only year being considered, and no other information was considered or would be placed in the file or on the record.

04-158E HEARING NO. LT-917 – JOHN T. & ELAINE L. PHELPS TR
PARCEL NO. 130-083-01

A petition for Review of Assessed Valuation received from Elaine L. Phelps, protesting the taxable valuation on land and improvements located at 1020 Tomahawk Trail, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 050 HDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III pages 1 through 4, and oriented the Board as to the location of subject property. The Appraiser also submitted Exhibit VIII, Assessor's Comparable Sales - Harold, Tomahawk and Robin Drive. Chairman Fox asked if the exhibit was just for subject hearing or if it would apply to others. Appraiser Lopez stated it would apply to other hearings.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board. Member Sparks asked the Appraiser to respond to the Petitioner's statements as he read them. The Appraiser stated the comparable sales were also small lots with similar topography. Member Sparks asked about subject's close proximity to Highway 28. Appraiser Lopez stated subject's base lot value, as well as other Tomahawk parcels, has been discounted 34 percent because the Assessor believes it is an inferior neighborhood.

The Chairman closed the hearing.

Members Schmidt and Allison noted the subject property is actually bordered by three streets and it would appear that traffic noise would be a problem.

Based on the FINDINGS that adverse factors (traffic noise) were not considered by the Assessor, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land on Parcel No. 130-083-01 be reduced to \$95,040.00 and that the taxable value of the improvements be upheld, for a total taxable value of \$139,527.00. The Board also made the findings that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-159E HEARING NO. LT-793 – MICHAEL E. & GAYLE L. ARCHER TR
PARCEL NO. 131-121-09

A petition for Review of Assessed Valuation received from Michael E. Gayle L. Archer, Tr., protesting the taxable valuation on land and improvements located at 956 Fairway Park Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044 LDU and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, oriented the Board as to the location of subject property. He stated subject parcel is on the Championship Golf Course. Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and VIII.

The Petitioner was not present but had submitted a letter, Exhibit A, which was reviewed by the Board. The Board members noted the Petitioner was concerned with the amount of the increases in value over the years.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 131-121-09 be upheld.

04-160E HEARING NO. LT-528 – EDWARD I. & JUANITA E. MUNNS
PARCEL NO. 131-121-25

A petition for Review of Assessed Valuation received from Juanita & Edward Munns, protesting the taxable valuation on land and improvements located at 963 Fairway Park Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044 LDU and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and VIII.

The Petitioner was not present but had submitted a letter, Exhibit A, stating that his land was an irregular shaped lot and not valued properly. Member Sparks asked the Appraiser how the comparable land sales compare in size and shape. Appraiser Lopez stated his two land sales are very comparable and located in close proximity. The Appraiser responded to other questions concerning comparable land sales.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, with Members Schmidt and Obester voting "no," it was ordered that the taxable value of land and improvements on Parcel No. 131-121-25 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-161E HEARING NO. LT-795 – JAMES W. & DONNA J. STUART TR
PARCEL NO. 131-122-02

A petition for Review of Assessed Valuation received from James Stuart, protesting the taxable valuation on land and improvements located at 910 Wendy Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044 LDU and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and VIII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board. Member Sparks asked several questions regarding subject property and the letter, to which Appraiser Lopez responded.

The Chairman closed the hearing.

Based on the FINDINGS that taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 131-122-02 be upheld.

04-162E HEARING NO. LT-532 – ROBERT J. & KAREN J.
PENZENSTADLER TR ET AL - PARCEL NO. 131-132-02

A petition for Review of Assessed Valuation received from Robert J. and Karen J. Penzenstadler, protesting the taxable valuation on land and improvements located at 971 Fairway Park Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044 LDU and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and VIII.

The Petitioner was not present but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board. Member Sparks noted subject property is an A-frame house with no garage, and the adjoining residences were rentals in poor condition. He asked the Appraiser if these factors were considered in valuing the property. Appraiser Lopez stated they were.

Member Obester asked the Appraiser if he was sure subject was a quality class 3 construction when he looked at the picture. Appraiser Lopez stated he would need to do an inspection and could not judge quality class by a photograph.

The Chairman closed the hearing.

Member Schmidt stated he would support a five percent reduction in the land value based on the Appraiser not contradicting the Petitioner's claims concerning the deterioration of the neighborhood.

Based on the FINDINGS that taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Members Schmidt and Obester voting "no," it was ordered that the taxable value of land and improvements on Parcel No. 131-132-02 be upheld.

04-163E HEARING NO. LT-372 – EVERETT H. JOHNSTON TR
PARCEL NO. 129-390-09

A petition for Review of Assessed Valuation received from Everett H. Johnston, protesting the taxable valuation on land and improvements located at 850 Lichen Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 041 HDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and VII.

The Petitioner was not present but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

The Chairman closed the hearing.

Based on the FINDINGS that taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 129-390-09 be upheld.

04-164E CONSOLIDATION OF HEARINGS NOS. LT-352, -843, -353, -1009,
-1088, -525, -526, -527, -529, -765, -358, -359 & -885

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting taxable valuation on land and improvements located at Incline Village, Washoe County, Nevada, were set for consideration at this time. The Petitioners did not provide any information concerning their opinion of market value, their purchase

prices or dates, and alleged that the Assessor's valuation methods are not supported by statute or regulation.

Chairman Fox observed that there were no more Petitioners present and the Clerk indicated there were no more letters to go with any of the remaining petitions. He asked if any of the Board members had any reason why the rest of the hearings in the 9:00 a.m. Block should not be consolidated into one hearing. Member Sparks stated there are seven petitions where the Assessor's Exhibit III is not complete because the costing sheet is missing, and he did not believe those hearings should be included in the consolidation. Chairman Fox asked if the Assessor could provide the information fairly quickly. Appraiser Ernie McNeill stated staff was working on supplying the information. Member Schmidt stated he did not believe the Board should wait for information from the Assessor since they do not wait for information from the Petitioners. Member Sparks suggested consolidating the remaining hearings, except for the seven he referenced. Member Schmidt agreed.

On motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Members Allison and Obester voting "no," Chairman Fox ordered that all remaining hearings with complete information be consolidated into one hearing and the seven appeals with incomplete information from the Assessor (Exhibit III) be consolidated into one hearing.

County Clerk Amy Harvey then called the first block of consolidated hearings by hearing number, property owner's name and parcel number. Chairman Fox again asked if there was anyone present to represent any one of these Petitioners. There was no response.

Rigo Lopez, Appraiser, duly sworn stated the Assessor would stand on their written presentation and Exhibits I, II and III for all of these hearings. He also indicated that Exhibit VI would apply to Hearings Nos. 352, 843 and 353; Exhibit VIII would apply to Hearings Nos. 1009, 1088, 525, 526, 527, and 529; and Exhibit VII would apply to Hearings Nos. 765, 358, 359 and 885.

Member Allison stated all of these petitions were submitted with the owner's opinion of market value as "unknown;" the purchase prices are all "unknown;" the purchase dates are all "unknown;" and the reason is that the "valuation methods are not supported by statute or regulation." She stated that no additional information has been submitted for each of these properties, and no one is here to speak to the Board concerning these properties.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-352	Alanna M. McClellan, Tr.	128-052-12
LT-843	Gunda G. Ahmari, Tr.	128-052-18
LT-353	Lawrence R./Christine R. Swick	128-060-02
LT-1009	Anthony A./Gissia B. Abiog	131-121-08
LT-1088	Ronald J. & Suzanne E. Ebel	131-121-12
LT-525	Arland J. Snarr Jr., Tr.	131-121-13
LT-526	Donald A. & Beatrice R. Epstein	131-121-18
LT-527	Philip M. Kelly, Tr.	131-121-21
LT-529	Edward J. Baus	131-121-29
LT-765	Kevin H. & Leslie A. Graffis	128-071-01
LT-358	Klaus H. & Bridget J. Mortimer	128-361-01
LT-359	Leonard R. & Eva C. Berberich	128-361-07
LT-885	Myron & Sheila Puckett	128-362-17

04-165E CONSOLIDATION OF HEARINGS NOS. LT-766, -355, -360, -361, -362, -456, & -769

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting taxable valuation on land and improvements located at Incline Village, Washoe County, Nevada, were set for consideration at this time. The Petitioners did not provide any information concerning their opinion of market value, their purchase prices or dates, and alleged that the Assessor's valuation methods are not supported by statute or regulation.

At the request of Chairman Fox, County Clerk Amy Harvey called the remaining hearings for the 9:00 a.m. Block. Chairman Fox asked if there was anyone present to represent these Petitioners. There was no response.

Chairman Fox then stated the issue is that the Assessor did not include the costing information on the records of the subject properties. Senior Appraiser Ernie McNeill stated they have the information on five of the seven properties and are awaiting the other two. Chairman Fox asked that the information be given to the Board members.

Member Schmidt moved that the information not be accepted because the Assessor did not provide a copy for each Board member. Chairman Fox noted they accept information when the Petitioner only provides one copy. Member Schmidt stated that he also expresses his objection whenever that occurs. The Chairman asked if there was a second to Member Schmidt's motion. There was not and the motion died for lack of a second.

Member Sparks stated it does appear that the information has now been provided and it appears that the numbers are supported by Marshall & Swift evaluation methods.

Chairman Fox requested the completed documents be provided to the Clerk for the record. He also cautioned the Assessor to provide sufficient copies of their exhibits to the Board and for the record in the future. The Chairman added that he understands the burden on the Assessor's office due to the magnitude of hearings this year, but the Board has a responsibility to determine whether the values are correct, which is difficult to do without complete information.

Appraiser Rigo Lopez, duly sworn, stated the Assessor would stand on their written presentation and Exhibits I, II, III and VII for all of these hearings.

Member Schmidt moved to uphold the Assessor's taxable values on land and improvements based on the evidence presented by the Assessor and lack of evidence presented by the Petitioners on the five properties where the Board has complete information and to grant any requested relief on the two remaining hearings for which the Board does not have complete information. Member Sparks apologized stating that he now has the complete information on all seven properties. Member Schmidt noted that no relief could be granted on the two properties because none was requested on the incomplete and ambiguous petitions. The motion died for lack of a second.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements be upheld on the following parcels:

Hearing No.	Petitioner	Parcel No.
LT-766	Alan S. & Jacqueline R. Craft	128-132-02
LT-355	Lester Wertheimer Tr. et al	128-241-04
LT-360	Warren Densley et al	128-361-11
LT-361	Hallin & Bookwalter	128-361-13
LT-362	Elaine A. Stathos, Tr.	128-362-04
LT-456	Anthony F. & Kathleen D. Kane	128-362-13
LT-769	Edgar L. & Dorothy E. Strauss	128-362-15

12:20 p.m. The Board recessed.

1:30 p.m. The Board reconvened with all Members present except Member Obester.

04-166E **HEARING NO. LT-522 – JACK R. AND MAXIME M. LEVEILLE, TR. - PARCEL NO. 131-080-29**

A petition for Review of Assessed Valuation received from Jack R. and Maxime M. Leveille, Tr., protesting the taxable valuation on land and improvements

located at 986 Fairway Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044 MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Jack Leveille, Petitioner, was sworn. Chairman Fox asked Mr. Leveille if it was correct that he did not know when he bought the property or how much he paid for it as stated on his petition. Mr. Leveille stated he had misunderstood and advised that the purchase date was February 1994, and the purchase price was \$530,000 plus. Chairman Fox stated the petition also asks for the owner's opinion of market value and the reply was "unknown." Mr. Leveille stated he really does not know what the market value is for his property. Petitioner Leveille submitted a letter and photographs, Exhibit A, and testified that his appeal is based on a comparison of his property versus an adjacent golf course property (988 Trap Court) that was purchased about a year and a half ago for \$450,000. He said the useable space on the two properties is approximately the same; and they share a stream that runs along the golf course property, but severs and isolates about 20 percent of his property on the east side. The Petitioner further stated that Trap Court is a quiet cul-de-sac on the golf course, whereas he is on a very busy street, Fairway Boulevard. He added that a large home has now been developed on that lot and the view from the back of their house is now of a large home instead of the golf course, which was demonstrated in the photographs. Petitioner Leveille said he believes a reasonable value for his land would be around \$300,000. Chairman Fox confirmed that the Petitioner was questioning the land value only.

Member Schmidt asked the Petitioner to compare the traffic on Fairway to that on Country Club Drive. Petitioner Leveille cited traffic counts for Country Club Drive and as well as Northwood Boulevard at the other end of Fairway Boulevard, but stated he was not able to obtain counts for Fairway. He did state it is very busy as it is used as a shortcut to get to the golf course and to the ski area.

Member Allison asked why there was a five percent discount from last year. Petitioner Leveille stated, at his request, the Appraiser came out and took pictures of the construction next door, which at the time was just the frame; and it was reduced five percent then.

Appraiser Lopez stated the appeals for this afternoon are all located on or near the Championship Golf Course and submitted Exhibit IX, Assessor's Comparable Sales, Championship Golf Course, which would be used for these hearings. Chairman Fox asked if this Exhibit was on the table by the door and available for anyone wishing to see it. The Appraiser stated it was. Appraiser Lopez also submitted an addition to Exhibit III, the Cost Database Report on subject property showing the improvement value calculations. Appraiser Lopez explained that there are lots right on the Championship Golf Course with an established base value; and the other lots near, but not right on, the

golf course are described as golf course influence lots. He then reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed full cash value. Appraiser Lopez stated he was the appraiser who inspected the subject property; the photos are representative of the view from the property; and subject was given a five percent discount because of the neighbor's house and its close proximity to the subject. Chairman Fox asked the Appraiser if he still felt the five percent adjustment was appropriate. Appraiser Lopez responded affirmatively.

In response to Member Schmidt, Appraiser Lopez stated the subject is not valued as a golf course lot, but as a golf course influence lot. The Appraiser then explained how the base lot values were determined. Members Schmidt and Sparks asked several questions concerning the comparable sales.

In rebuttal, the Petitioner reiterated his previous comments concerning his view and traffic nuisance compared to the adjacent lot being right on the golf course and on a quiet cul-de-sac.

The Chairman closed the hearing.

Chairman Fox stated it appears to him that the question is whether the five percent discount on the land value was appropriate to recognize the close proximity of the new home on the adjacent parcel. Member Schmidt stated the comparable does not have the negative traffic influence, and the Assessor has not made an adjustment for that. Member Allison asked if there would be an equalization issue if subject was adjusted for traffic since there are many other parcels on Fairway that have the same traffic influence. She stated she would not adjust for traffic, but the closeness of the neighbor's home is of concern to her.

Member Schmidt moved to reduce subject's current land value by five percent due to the close proximity of the home built on the adjacent parcel and to further reduce the land value by an additional five percent to recognize traffic duress, which would equate to a ten percent reduction in the land value. The motion died for lack of a second.

Based on the FINDINGS that adverse factors (close proximity of adjacent home) were not considered by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land on Parcel No. 131-080-29 be reduced to \$361,000 and the taxable value of the improvements be upheld, for a total taxable value of \$581,752.00. The Board also made the findings that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

A petition for Review of Assessed Valuation received from Janice R. Mismas, et al., protesting the taxable valuation on land and improvements located at 973 Third Green Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044 MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

George Mismas, Petitioner, was sworn. Chairman Fox asked the Petitioner if it was correct that he did not know the purchase price or date of his property as stated on the petition. Mr. Mismas advised the purchase price was \$1,050,000 and they bought in 1997 or 1998. He further stated he does not know what the market value would be.

Petitioner Mismas then asked if the Board members work for the State. Chairman Fox stated the Board members are volunteers and do not work for anybody. Mr. Mismas stated there are a lot of people very upset about the tax increases, and asked if the Board is trying to make a fair judgment whether that is correct. Chairman Fox said the Board does not make any judgment on taxes. He advised the Petitioner that the petition he filed was for a review of the assessed valuation, and all the Board deals with is whether the valuation of property set by the Assessor is correct. The Chairman advised that it is the Petitioner's responsibility to show by clear and substantial evidence that the Assessor's value is wrong.

Petitioner Mismas testified that he has no complaint on the valuation of the building, just the land. He said his property is not on the golf course, they have no view of the Lake, and he does not understand how the value could go up so much. He said his value would be realized when he sells his property, and he should not be penalized ahead of time. A discussion ensued concerning the tax system and how the Assessor is chosen.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed full cash value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and IX. Member Schmidt confirmed that the Appraiser did not use the teardown in valuing the subject property.

The Petitioner stated he had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded

by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 131-250-25 be upheld.

04-168E HEARING NO. LT-562 – TRISTANO C. DIFORINO, ET AL.
PARCEL NO. 131-250-30

A petition for Review of Assessed Valuation received from Tristano C. DiForino, et al., protesting the taxable valuation on land and improvements located at 986 Wedge Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044 MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Tristano DiForino, Petitioner, was sworn. Chairman Fox stated the petition states that the Petitioner does not know the purchase price or purchase date of his property and asked if that was correct. Mr. DiForino stated his purchase price was \$405,000 and he believed he purchased the property in 1994. The Petitioner stated he does not know the market value of his property. Petitioner DiForino testified that he was appealing the methods of valuation, which he has discussed with the Assessor's office. He requested the Board establish a new valuation for his land because the teardown and time adjustment methods used by the appraisers are illegal according to information he has received from the tax revolt group. Chairman Fox advised that the methodology issue was heard by this Board and by the State Board of Equalization last year, and the Assessor's methods were upheld by both Boards. He further stated it was his understanding the matter is now in court, but there have been no findings or rulings handed down yet. Petitioner DiForino stated his taxes have tripled, but he does not believe his value has tripled unless he could find a "fool" to purchase his property. The Petitioner asked that the Appraiser give him the definition of a golf course interest lot.

Appraiser Lopez described how the Assessor determines whether lots have a golf course influence, and one factor used is that sales listings for such properties usually include statements about the property being in a "quiet, golf course area." He then reviewed sales of comparable properties substantiating that the taxable value does not exceed full cash value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and IX.

In response to Member Sparks, the Appraiser explained how land and improvement values are determined throughout Washoe County in more detail for the Petitioner.

In rebuttal, the Petitioner stated his property is closer to a busy street, Country Club Drive, than to the golf course, and he would not define his property as a quiet golf course lot. He emphasized golf course influence needs to be better defined.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 131-250-30 be upheld.

04-169E HEARING NO. LT-493 – THEODORE G. AND MARY LOU HARRIS, PARCEL NO. 131-011-06

A petition for Review of Assessed Valuation received from Theodore G. and Mary Lou Harris, protesting the taxable valuation on land and improvements located at 925 Driver Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044/MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Theodore Harris, Petitioner, was sworn. Chairman Fox stated that the Petitioner stated on the petition that he did not know when he bought the property and asked if that was correct. Mr. Harris stated they purchased the lot in 1988 and began construction in late 1988. The Chairman asked Mr. Harris if he knew what the property cost. Mr. Harris responded that he did not because he did a lot of the construction himself. Chairman Fox asked if it was correct that he did not know the market value of his property. Petitioner Harris stated that was correct.

Petitioner Harris submitted written documents of his presentation, Exhibit A, and testified that he has spent a great deal of time trying to understand how land values are determined. He stated he understands the statutes say land must be valued at full cash value based on sales of comparable vacant land, and he understands how improvements are valued. He added that there are no vacant land sales in Incline Village/Crystal Bay. Mr. Harris argued at length that the methods used by the Assessor to determine property values are completely wrong. He stated that determining the total value and then subtracting the depreciated improvement value to come up with the land value greatly exaggerates the value of the land. He also brought up many other factors that have to be considered in land valuation, such as Tahoe Regional Planning Agency restrictions, soil types, topography, etc. Petitioner Harris stated included in his packet is a comparison of Incline Village properties and Douglas County properties at the Lake showing a huge discrepancy. He further argued that the teardown and time adjustment methods used by the Assessor are not appropriate evaluation methodologies. Petitioner Harris said he was not questioning the value of the improvements, just the land; and that if the value of his improvements were based on current full replacement costs, the value of his land would be approximately \$500,000.

Chairman Fox asked the Appraiser if Mr. Harris was correct in his understanding that his land value was established by using improved property sales and deducting the Marshall & Swift replacement cost less the depreciation for improvements. Appraiser Lopez stated that was not correct. He also stated he and Senior Appraiser Ron Sauer met with Petitioner Harris and explained exactly how they determined the base lot values. Chairman Fox asked if the land values were determined by the direct sales method or the abstraction method. Appraiser Lopez stated the Assessor used the direct sales method. The Appraiser then reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value. He stated the base lot value for these golf course lots was established at \$700,000, and the subject property was discounted ten percent in recognition of its location.

Member Schmidt asked several questions concerning total number of vacant land sales, teardown sales, and improved sales, as well as specific questions on certain sales. He also asked the Appraiser to explain the difference between the land values on the Championship Golf Course and the Mountain Golf Course. Appraiser Lopez responded. Member Schmidt then asked about the extrapolation method of valuing property. Appraiser Lopez stated he has not used the extrapolation method in Incline Village. Member Schmidt asked if that method has been used anywhere in Incline Village. Senior Appraiser Ron Sauer stated the extraction method has been used to value the lakefront condominiums.

In rebuttal, the Petitioner disputed the Appraiser's comparable sales and the use of teardowns. He further stated the Assessor's total taxable value will never exceed market value because the Assessor is not using market value on the improvements. Appraiser Harris reiterated his comments on the disparity between the assessed values in Washoe County and Douglas County. Chairman Fox stated there may not be equalization between Washoe County and Douglas County, but that comparison is beyond the scope of this Board; and it may be that the State needs to look into that difference. Petitioner Harris emphasized that the methods used by the Washoe County Assessor to determine values have not been approved by the State Tax Commission.

The Chairman closed the hearing.

Member Allison stated the Petitioner's exhibit comparing Douglas County to Washoe County has no bearing on this hearing. She further stated that the appraisal methods used by the Assessor are what the Board has to go by unless and until the Legislature or the State Board of Equalization provides different information. Chairman Fox added that a decision by the court may or may not change things, but so far no one, except Mr. Harris and other Incline Village residents, has determined that the Assessor's methods are invalid.

Member Schmidt stated he is concerned with the teardown comparable sales and conflicting testimony about whether one of the sales was actually located on the Championship Golf Course. He further stated that Nevada Administrative Code (NAC)

361.628, Summary of Appraisal Data, Section 2, "to be accompanied by a map," not maps, "a map of the area showing the location of the property and all comparable property." He stated he has three or four maps from the Assessor dealing with the subject property and the comps, not one map; and it is difficult to page through the maps to determine if the comps are comparable. Member Schmidt stated he was rejecting the three teardown comparables and placing no weight on the land sale comp because it included plans, which might have been of substantial value; and based on that information and the fact that the Assessor failed to follow the Nevada Administrative Code concerning the maps provided to the Board, he moved that the value of the improvements be upheld and the value of the land be reduced to \$500,000 as requested by the Petitioner. The motion died for lack of second.

Member Sparks stated it is difficult to value land in an area such as Incline Village where there are no vacant land sales because the area is built-out, and properties improved with older resort-type cabins are being purchased and torn down to build newer neighborhoods. He further said the methodology used by the Assessor for determining land values is an accepted, supportable methodology and is presented in most appraisal textbooks. Chairman Fox cautioned that, if the Assessor is directed by a higher authority to use other appraisal methods, his 30 years of professional appraisal experience tells him that values will probably go even higher.

Member Allison commented on the amount of the increases in Incline Village, but stated Incline is a very desirable area with no vacant land left, so property values have gone up considerably. She said she is sorry if older people are forced out because of the taxes, but that is not what the Board can consider.

Member Schmidt noted there are only four members present and stated the missing member might have seconded his motion; therefore, he moved that this hearing be continued to a time when the full Board is present. The motion died for lack of a second.

Based on the FINDINGS that taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no" and Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 131-011-06 be upheld.

04-170E HEARING NO. LT-499 – MARTIN AND BETTY FINEMAN
PARCEL NO. 131-013-03

A petition for Review of Assessed Valuation received from Martin and Betty Fineman, protesting the taxable valuation on land and improvements located at 671 14th Green Drive, Incline Valley, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044 MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and IX.

The Chairman closed the hearing.

Member Allison noted the Petitioner purchased the subject in 2002 for considerably more than the Assessor's total value.

Based on the FINDINGS that taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 131-013-03 be upheld.

04-171E HEARING NO. LT-563 – MARONEY FAMILY TRUST
PARCEL NO. 131-261-22

A petition for Review of Assessed Valuation received from Maroney Family Trust, protesting the taxable valuation on land and improvements located at 355 Country Club, Incline Valley, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044 MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter and documents, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and IX.

The Chairman closed the hearing.

Based on the FINDINGS that taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 131-261-22 be upheld.

04-172E CONSOLIDATED HEARINGS NOS. LT-789, -944, -519, -568, -494, -924, -497, -943, -498, -515, -516, -517, -518, -520, -521, -523, -558, -559, -801, -566, & -569

Petition for Review of Assessed Valuation received from the following property owners protesting the taxable valuation on land and improvements located in Incline Village, Washoe County, Nevada, were set for consideration at this time.

Chairman Fox asked if there was anyone present for the remaining hearings in the 1:30 Block of this agenda. There was no response. The Chairman then asked if the Board members or the Assessor had any reason why these hearings should not be combined. Member Sparks commented that the petitions are all basically the same.

On motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, Chairman Fox ordered that the remaining hearings be consolidated. He requested the Clerk to call the hearings. Nancy Parent, Chief Deputy Clerk, then called the remaining hearings by hearing number, property owner's name and parcel number.

Rigo Lopez, Appraiser, duly sworn, stated the Assessor would stand on their written presentation and Exhibits I, II, III and IX.

Chairman Fox stated the Petitioners on all of these hearings did not submit any information or evidence showing that the Assessor's values are wrong. Member Schmidt noted there was also no specific relief requested by any of the Petitioners.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on the following parcels be upheld:

Hearing No.	Petitioner	Parcel No.
LT-789	Reginald Shinn et al	131-011-02
LT-944	Stuart A. Cook et al	131-013-04
LT-519	Jack & Irene J. Giusto	131-080-08
LT-568	Marvin D. & Despina Taylor	131-261-49
LT-494	Curt Berger, et al	131-011-07
LT-924	Berteline B. Dale, Tr.	131-012-16
LT-497	Martin B. & June R.I. Richards	131-012-39
LT-943	John D. & Nancy B. Woodland	131-012-41
LT-498	George H. Patchett, Tr.	131-012-43

LT-515	Servais Nevada Properties, Inc.	131-080-01
LT-516	Evelyn J. Smallwood, Tr.	131-080-03
LT-517	Frank P. & Twylah M. Bacci	131-080-05
LT-518	Raymond & Candace Demarest	131-080-07
LT-520	Rader & Beverly Rollins	131-080-11
LT-521	Laurence/Thurldean Mitchell	131-080-19
LT-523	Edward T.& Paullee G. Bradford	131-080-32
LT-558	Malcolm & Hang Williamson	131-250-17
LT-559	David R. McConahay, Tr. et al	131-250-19
LT-801	John H. Sousa, Tr.	131-261-25
LT-566	Raymond & Anna Anderson, Tr	131-261-38
LT-569	Joy Verner, Tr.	131-261-52

BOARD MEMBER COMMENTS

Member Schmidt requested a future agenda item to discuss a procedure for contacting the alternate Board members when a regular member is going to be absent.

PUBLIC COMMENT

There was no response to the call for public comment.

4:00 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 4, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy, Deputy Clerk
Lori Rowe, Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

WEDNESDAY

9:00 A.M

FEBRUARY 4, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member
Gary Schmidt, Member
Steven Sparks, Member

Nancy Parent, Chief Deputy Clerk
Peter Simeoni, Deputy District Attorney
Ernie McNeil, Senior Appraiser

The Board met pursuant to a recess taken on February 3, 2004, in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWALS

The following hearings scheduled for the Wednesday, February 4, 2004, agenda were withdrawn by the Petitioners:

No. 444	Margaret M. Taylor – Parcel No. 123-142-07
No. 445	Margaret M. Taylor – Parcel No. 123-142-08
No. 1107	David P. and Sally M. Kotnik Tr. – Parcel No. 123-143-05
No. 787	G. Stuart Yount, Tr., et al – Parcel No. 123-151-07
No. 786	Stanwall Corporation – Parcel No. 123-161-29
No. 785	Stanwall Corporation – Parcel No. 123-161-30

9:00 A.M. - BLOCK 1

DISCUSSION CONCERNING POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that consolidation of hearings listed on the agenda proceed as follows:

1. Petitioners who are present would be heard first in the order they appear on the agenda.
2. Petitioners who submitted a letter, or any other type of communication, would be considered by the Board.

3. The remaining petitions presented that are similar in nature would be consolidated.

04-173E HEARING NO. LT-931 – PETER G. KALTMAN
PARCEL NO. 131-261-33

A petition for Review of Assessed Valuation received from Peter G. Kaltman, protesting the taxable valuation on land and improvements located at 972 Sand Iron Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Peter G. Kaltman, Petitioner, was sworn and submitted a letter, Exhibit A, and a real estate advertisement of area parcels, Exhibit B. He testified that his land was inappropriately valued; the process followed by the Assessor was flawed due to using comparables that were not appropriate; and his land value should be decreased because of an irregular lot shape, drainage problems because of the slope of the parcel, and the location of his lot does not allow for good curb appeal for his home. He requested an analysis from the Assessor of the process used to evaluate the differentiation of lots. Petitioner Kaltman further testified that not all lots are the same, and the numbers used by the Assessor are for a perfect lot. He said he wanted to see the methods used by the Assessor to determine whether he had been inappropriately assessed and confirmed that he wanted to address the land only.

Chairman Fox asked the Petitioner for his purchase date and the price he paid for subject property. The Petitioner responded that he bought the home in 1996 for \$729,000. He did not have an opinion on the market value of his property.

Member Sparks asked the Petitioner if it was fact or his opinion that the comparable property listed on Exhibit III as CGL-1 sold for \$200,000 more than it was worth; and the Petitioner said that it was his opinion.

The Petitioner submitted Exhibit B to the Board and discussion followed regarding the property presented on the brochure. Chairman Fox clarified that the advertisement did not say three lots, but has a potential of three units.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and IX. He said, in regard to vacant land sale CGL-1, the sale was a market transaction confirmed by the sales verification letter sent by the owner and received by the Assessor and conversations with the purchaser. In response to Chairman Fox, Appraiser Lopez stated the parcel is

for sale, the owner confirmed he would market the lot to at least recover what he has into the lot, which would be \$800,000, plus the cost of the new plans he had to purchase.

Member Schmidt requested Appraiser Lopez provide all the documents on which he based his opinion. Appraiser Lopez explained that the owner of the property provided the information regarding the price he paid for the lot and the owner valued the plans at \$40,000 to \$50,000.

Chairman Fox verified that sales verification letters are public record and are available in the Assessor's office. He confirmed that the people appearing before the Board are under oath, and this includes the Assessor and the Petitioner.

In response to Member Allison, Appraiser Lopez explained that GCC, as the subject property is classified, is a code used within the Assessor's office to recognize lots that are located on the championship golf course in Incline Village, Nevada.

In response to Member Schmidt, Appraiser Lopez described the method used to arrive at the base lot value for the area and stated that the base lot value for championship golf course lots was set at \$700,000. He said the lots are adjusted up and down depending on the situation with each parcel.

Member Obester inquired about teardown sales and the process used by the Assessor to determine the true value of the land, and Appraiser Lopez described the process.

Member Schmidt stated that in order to evaluate a teardown, he would like to see the record sheets for the building cost summaries of the house that was torn down, photographs of the house, and a copy of the permit or when the teardown permit was issued. He would like to see documentation of when the final inspection of the teardown occurred and some information about the purchaser.

Chairman Fox informed Member Schmidt that he could not dictate to the Assessor what information the Assessor presents to the Board. The Board evaluates the information presented and each member gives what weight to the evidence he decides it deserves.

Member Schmidt stated that, without further evidence, he would reject all three of the teardowns listed in Exhibit III. He said he would adjust the land sales based upon the evidence before him. Chairman Fox confirmed that each member is to make their own independent analysis of the information presented to the Board.

In response to Member Sparks, Appraiser Lopez stated he would not consider the lot to be irregular in shape and the lot appeared to be level. He explained he did not make any adjustments for those items. He said the subject parcel would be similar in topography to the land around the Championship Golf Course.

Member Obester inquired why the value of the land did not increase from 1998-2001, and Appraiser Lopez explained that one fifth of the County is appraised every five years. He said there were not sufficient sales within the golf course area to factor those parcels, and that is why the land value did not increase during those years.

In response to Member Allison, Appraiser Lopez said the subject parcel was at \$233 dollars per square foot.

In rebuttal, the Petitioner stated his lot is irregular, the property does border two streets and these facts should be considered. He said teardown values should not materially affect the value of the land.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 131-261-33 be upheld.

04-174E HEARING NO. LT-657 – FRANK WRIGHT
PARCEL NO. 123-022-05

A petition for Review of Assessed Valuation received from Frank Wright, protesting the taxable valuation on land and improvements located at 36 Somer Loop, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033-HDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Frank Wright, Petitioner, was sworn, and testified that he purchased the home in 1979 and paid less than \$100,000 for it. He said he has no opinion of the market value for his property. The Petitioner stated he had spoken to Appraiser Wilson, and he agreed to verify the view classification on his parcel.

Mr. Wright questioned the method for assessing land values. He broke the values down in his neighborhood using a per acre method and noted the varying values he found. Chairman Fox verified that land values are not assessed on a per acre basis, but on a site basis.

Appraiser Wilson introduced Assessor's Exhibit X, the Improved and Vacant Land Sales and Maps Pertaining to the Non-Lakefront Area of Crystal Bay, Nevada. He confirmed he did speak to the Petitioner and he would set an appointment to verify the view classification. In response to Chairman Fox, Appraiser Wilson stated a V-5 base value is \$325,000 and a V-3 base value is \$220,000. He said the per acre values

the Petitioner presented hold no meaning because the smaller sites were valued on a per site basis.

In response to Member Sparks, Appraiser Wilson explained that the subject parcel received an upward adjustment because his parcel is larger in size.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and X.

In rebuttal the Petitioner stated that the lakefront view assessment is different from the off-lake assessment. He said he does not have beachfront property or beach access, while the parcel across the street does have those items. He stated the only access to the lake he would have is a public access that is a half-mile away from his parcel.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Members Obester and Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-022-05 be upheld, subject to the Assessor verifying the view classification.

04-175E HEARING NO. LT-1096 – JACK I. AND LOIS D. McAULIFFE
PARCEL NO. 123-137-05

A petition for Review of Assessed Valuation received from Jack I. and Lois D. McAuliffe, protesting the taxable valuation on land and improvements located at 450 Wassou Road, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Jack McAuliffe, Petitioner, was sworn, and stated he bought his lot in 1968 and paid \$8,000 for it. He said he had no opinion of the market value of his building, but said he believed the market value for his land to be \$211,000. He submitted a document entitled the 2003 Reappraisal of Crystal Bay Paired Sales Analysis, Exhibit A, and questioned his view classification, testifying that he does not own his view and should not be taxed for it. He said consideration of view in valuing his property is not a legal consideration.

In response to Member Obester, the Petitioner said he believes the \$114,000 amount he is protesting is due to the view classification.

Appraiser Wilson, reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and X.

Member Obester inquired why the land values did not increase between 1998 and 2003, and Appraiser Wilson explained that there was no conclusive data available in the interim years to increase the values.

In response to Member Sparks, Appraiser Wilson confirmed that the same method used in 1998 was used for the current appraisal.

Member Allison asked if removing the view classification from the subject parcel, would throw it out of equalization with all the other properties. Appraiser Wilson confirmed that it would, and he said he would evaluate the Petitioner's view classification and make any adjustments as needed.

In rebuttal, the Petitioner said that even though he does not own the view, view is not independent of market value.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 123-137-05 be upheld, subject to the Assessor verifying the view classification.

04-176E HEARING NO. LT-1059 – GARY R. AND MELANIE A. TAYLOR, TR. - PARCEL NO. 123-141-05

A petition for Review of Assessed Valuation received from Gary R. and Melanie A. Taylor, Tr., protesting the taxable valuation on land and improvements located at 395 Tuscarora Road, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-LDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. Appraiser Wilson noted he had done a view inspection and had a recommendation for the property that he had discussed with the Petitioner.

Melanie Taylor, Petitioner, was sworn and testified that she had spoken with Appraiser Wilson and was in agreement with the recommendation for the subject

property. She affirmed the work and professional manner of Appraiser Wilson. She stated that drive-by appraisals determining view are criminal and terrible. She requested the Board approve the recommendation on the property. She confirmed that in the Crystal Bay and Lake Tahoe areas it is very difficult for an appraiser to do an appraisal because there are other issues involved beyond comparable sales. She questioned why the sale of her property in 1995 was not included as a comparable sale. She said, when values are being determined, as much information and as many comparable sales as possible need to be used.

Appraiser Wilson explained his recommendation to the Board and noted the sale of the subject property occurred in 1994. He agreed with the Petitioner that as much sales data as possible should be gathered. He stated the Assessor would stand on their written record and Exhibits I, II, III and X.

The Petitioner presented no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of land on Assessor's Parcel No. 123-141-05 be reduced to \$176,000; and the taxable value of the improvements be upheld for a total taxable value of \$427,984. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-177E HEARING NO. LT-87 – MARIO J. AND YVONNE W. ISOLA
PARCEL NO. 123-143-07

A petition for Review of Assessed Valuation received from Mario J. and Yvonne W. Isola, protesting the taxable valuation on land and improvements located at 414 Wassou Road, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-HDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Yvonne W. Isola, the Petitioner, was sworn, and submitted a letter, Exhibit A, which the Board reviewed and discussed. She stated her protest of the increase of her land valuation and requested consideration be given regarding her view classification.

Chairman Fox directed the Petitioner to make an appointment with the Assessor to have the view classification verified.

Member Obester explained to the Petitioner that her land value stayed the same for five years. She stated the increase was excessive and Member Obester agreed.

Appraiser Wilson stated the Assessor would stand on their written record and Exhibits I, II, III and X. He encouraged the Petitioner to contact him to schedule an appointment to verify the view classification.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Chairman Fox stated there is no legislated limit on the magnitude of a change in assessed value during any time period.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 123-143-07 be upheld, subject to the Assessor verifying the view classification.

04-178E HEARING NO. LT-663 – GRABLE B. RONNING, TR.
PARCEL NO. 123-145-02

A petition for Review of Assessed Valuation received from Grable B. Ronning, Tr., protesting the taxable valuation on land and improvements located at Anaho/Gonowabie, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-HDS and designated vacant.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4 and oriented the Board as to the location of subject property.

Grable Ronning, Petitioner, was sworn, submitted photographs, Exhibit A, and maps, bids and documents relating to her parcel, Exhibit B. She testified that she had questions regarding view classification and said the lot is over-valued. She confirmed the shape of her lot affects her potential view. She stated there are insufficient sales in Crystal Bay because prices set are too high. She does not agree with the time adjustment factor added to properties. She explained her lot has problems, such as an encroachment on the road, it is heavily treed, there are no utilities and the road to access her lot is small and narrow. She acknowledged she would have to purchase coverage to make the lot buildable, and there would be a cost for the coverage. She believes she should gain an additional reduction of \$5,000 towards that cost. She reviewed the bid she had received to install utilities and a bid for removal and replacement of the road.

The Petitioner requested the Board lower the base lot value by adjusting for the view classification, the total cost involving coverage, installing the utilities and

removing and rebuilding the encroaching road. She asked that \$132,137 be deducted from the current value.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and X.

In response to Chairman Fox, Appraiser Wilson stated he was unaware of the road encroachment. He said there are homes on Anaho that have utilities, and he was not aware that any utilities were stubbed into any of the vacant land sales he used as comparables. He stated the utilities in the street would be available to the subject parcel. He presented a document to confirm that the Petitioner had purchased coverage for \$30 a square foot.

In response to Member Allison, Appraiser Wilson explained the Petitioner bought the lot in 1998 for \$15,000, and the lot had an IPES score of 408, which was too low for it to be a buildable parcel. Since then, the buildable IPES score for Washoe County has been lowered to 325, thus making the lot a buildable parcel.

In rebuttal, the Petitioner questioned the document regarding coverage and validity. She said she is in the process of acquiring coverage and believed the document to be incorrect. She disputed the comparables presented by the Assessor, and stated she was told by the Incline Village General Improvement District that there were no utilities to the lot.

The Chairman closed the hearing.

Member Schmidt pointed out that the Assessor's document identified a parcel number that is not the same as the number for the subject parcel. Chairman Fox noted there is a dispute about the document.

Chairman Fox said he agreed with the Assessor's deduction for the coverage, and if improvements to the road were made they would add value to the property.

Member Allison informed the Petitioner she could set up an appointment with the Assessor to verify the view classification on the subject parcel.

Member Sparks pointed out that the taxable value set by the Assessor does recognize the lack of buildable coverage on the property for that value. He noted the deduction from the base value for the lack of coverage.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 123-145-02 be upheld.

04-179E HEARING NO. LT-664 – GRABLE B. RONNING, TR.
PARCEL NO. 123-145-04

A petition for Review of Assessed Valuation received from Grable B. Ronning, Tr., protesting the taxable valuation on land and improvements located at 400 Gonowabie Road, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-LDS and designated single-family residence.

Gary Warren, Appraiser, was sworn and submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 8, and oriented the Board as to the location of subject property. He displayed an aerial view of the parcel.

Grable B. Ronning, Petitioner, was sworn, submitted photographs and letters, Exhibit A, and testified that her lot is overvalued. She stated her lot is under litigation and she provided documents describing the lawsuit involving the Nevada State Lands Commission and Washoe County. She disputed the comparables stating they are newer and nicer homes. She stated her home needs many repairs, including the roof, the multiple stairs and the pier. She said her lot is extremely steep, contains many boulders, she has to back into her driveway and there is a hairpin turn encroached on the property. She confirmed these are drawbacks to her parcel and adjustments should be made.

Chairman Fox inquired about the pier and the Petitioner said it is exclusively for the use of her property. She testified that her two neighbors, who have piers identical to hers, were given a pier adjustment of \$500,000 because the piers do not have pilings that go out into the water. She requested the adjustment for her pier.

Appraiser Warren, reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XI. He said a ten percent adjustment was made to the subject parcel because of the negative impact of the road. He confirmed that the piers in question did come before the Board last year, and the pier premium was reduced to \$100,000.

Member Schmidt inquired about the pier and the pier-permit process. Appraiser Warren acknowledged an adjustment could be made for the pier if it was deemed to be similar.

In response to Chairman Fox, Appraiser Warren stated that improvements to a home do add value to the land.

In response to Member Schmidt, Appraiser Warren verified that most of the properties in the area of the subject parcel do have steep terrain, a number have been remodeled and there have not been a substantial number of teardowns. He could not confirm what would be involved in removing the improvements from the property or if the subject parcel would be more adversely impacted by trespassing.

In rebuttal the Petitioner stated the steepness of her property should warrant consideration for an adjustment. She said there is more adversity on her property regarding potential trespass due to the parcel being fully adjacent to the State property.

The Chairman closed the hearing.

Chairman Fox stated he would be in support of a reduction in the pier value to equalize it with the piers that were given a reduction last year. Member Allison agreed with the Chairman on the reduction. She said there are no new piers being allowed at this point and the values are questionable on the three piers because they are on the edge of the water in the boulders.

Member Schmidt said he considers the subject property to be of greater adversity than the comparables due to public duress and would recommend an additional ten percent reduction on the base lot value.

Based on the FINDINGS that adverse factors were not considered by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 123-145-04 be reduced to \$1,450,000; and the value of the improvements be upheld, for a total taxable value of \$1,513,981. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

Prior to the vote on Member Allison's motion, Member Schmidt moved to amend the motion to include an additional ten percent reduction for public duress, which was seconded by Member Obester. Upon call for the vote, the motion failed on a 2-3 vote, with Members Schmidt and Obester voting "yes," and Members Allison, Fox and Sparks voting "no." The original motion was upheld.

04-180E HEARING NO. LT-90 – B. MICHAEL AND PATRICIA S. CLARKE
PARCEL NO. 123-162-06

A petition for Review of Assessed Valuation received from B. Michael and Patricia S. Clarke, protesting the taxable valuation on land and improvements located at 270 Wassou Road, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-HDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

B. Michael Clarke, Petitioner, was sworn and testified that he had questions on the valuation of the subject parcel, and his questions had been answered by Appraiser Wilson. The Petitioner stated Appraiser Wilson has a recommendation for a

change in the taxable value of the land, expressed his agreement with the recommendation, and he requested the Board support the recommendation.

Appraiser Wilson stated he conducted a view verification and the inspection revealed the Assessor's Office had an incorrect view rating of a V5 when it should be set at a V4. It was also determined that a steep slope driveway adjustment would be warranted. He said the recommendation would be to reduce the land value from \$325,000 to \$270,800 to reflect the view classification reduction and the slope adjustment. He stated the Assessor would stand on their written record and Exhibits I, II, III, and XI.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors were not considered (topography) by the Assessor and on recommendation of the Assessor, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 123-162-06 be reduced to \$270,800; and the taxable value of improvements be upheld, for a total taxable value of \$324,181. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-181E HEARING NO. LT-670 – WILLIAM AND ERMINA E. GARDELLA, TR. - PARCEL NO. 123-163-04

A petition for Review of Assessed Valuation received from William and Ermina E. Gardella, Tr., protesting the taxable valuation on land and improvements located at 264 Tuscarora, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-HDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

William Gardella, Petitioner, was sworn and testified that the information from the Assessor's office was incorrect because it stated the house had five bedrooms and there are only two bedrooms. He said the parcel was purchased in 1985 for \$90,000. He stated the land valuation of \$285,000 is out of equalization with his neighbor's lot. He used the Assessor's Exhibits III to point out other lots in his area demonstrating that his parcel was out of equalization. He explained his conflict was with the base lot values and size of the parcels.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and X. Appraiser

Wilson reviewed the parcels the Petitioner noted, stated the taxable values of each parcel and described the adjustments made to each of the properties.

In rebuttal, the Petitioner stated his objection to the lot prices in the area as compared to his parcel. He said his view was not as good as the other area parcels.

The Chairman closed the hearing.

Chairman Fox requested the Assessor's office correct the data as stated by the Petitioner regarding the number of bedrooms listed, the purchase price and purchase date of the parcel.

Member Schmidt moved to decrease the taxable value of the land by ten percent based upon the application of equalization and uphold the Assessor's value on the improvements. There was no second and the motion died.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Schmidt, seconded by Member Fox, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 123-163-04 be reduced to \$270,750, representing a five percent downward adjustment for lot size; and the taxable value of improvements be upheld, for a total taxable value of \$305,769. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

1:35 p.m. Member Obester left the meeting.

04-182E **HEARING NO. LT 1180 – JULIA M. CROW**
PARCEL NO. 123-022-04

A petition for Review of Assessed Valuation received from Julia M. Crow, protesting the taxable valuation on land and improvements located at 38 Somers Loop, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033-HDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Wilson stated an interior inspection of the subject parcel was completed, and the view classification of V5 was found to be incorrect. He verified V3 as the correct view classification and recommended a reduction in the land value from \$357,500 to \$242,000 to reflect the correct view classification for a total taxable value of

\$328,816, and he confirmed the Petitioner was in agreement with the reduction. He stated the Assessor would stand on their written record and Exhibits I, II, III and X.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, on recommendation of the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land on Assessor's Parcel No. 123-022-04 be reduced to \$242,000; and the taxable value of improvements be upheld, for a total taxable value of \$328,816. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-183E HEARING NO. LT-1197 – SAM PERRY
PARCEL NO. 123-133-11

A petition for Review of Assessed Valuation received from Sam Perry, protesting the taxable valuation on land and improvements located on Gonowabie Road, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDS and designated vacant.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written record and Exhibits I, II, III and X.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

In response to Member Sparks, Appraiser Wilson said that he had given adjustments on the lot due to the traffic influence and development cost.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 123-133-11 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-184E HEARING NO. LT-662 – GILBERT J. PENDLEY
PARCEL NO. 123-144-04

A petition for Review of Assessed Valuation received from Gilbert J. Pendley, protesting the taxable valuation on land and improvements located at 360 Gonowabie Road, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-HDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Wilson stated the Assessor would stand on their written record and Exhibits I, II, III and X.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," and Member Obester absent, it was ordered that the taxable value of land and improvements on Parcel No. 123-144-04 be upheld.

04-185E HEARING NO. LT-667 – MICHAEL J. AND SHIRLEY J. RITTER,
TR. - PARCEL NO. 123-161-04

A petition for Review of Assessed Valuation received from Michael J. and Shirley J. Ritter, Tr., protesting the taxable valuation on land and improvements located at 240 Northlake Drive, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Wilson stated the Assessor would stand on their written record and Exhibits I, II, III and X.

The Chairman closed the hearing.

In response to Member Sparks, Appraiser Wilson said he would complete a verification of the view if contacted by the Petitioner. He stated the private road was taken into consideration and given an upward adjustment, as it is a gated community and has a common pier.

Member Schmidt noted the Petitioner could request a verification of the view from the Assessor.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 123-161-04 be upheld.

04-186E HEARING NO. LT-671 – LARRY HERN
PARCEL NO. 123-165-15

A petition for Review of Assessed Valuation received from Larry Hern, protesting the taxable valuation on land and improvements located at 289 Tuscarora Road, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDS and designated vacant single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Wilson stated the Assessor would stand on their written record and Exhibits I, II, III and X. He confirmed the view classification on the parcel.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 123-165-15 be upheld.

04-187E HEARING NO. LT-672 – LARRY HERN
PARCEL NO. 123-165-16

A petition for Review of Assessed Valuation received from Larry Hern, protesting the taxable valuation on land and improvements located at 289 Tuscarora Road, Crystal Road, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Wilson stated the Assessor would stand on their written record and Exhibits I, II, III and X. He noted the parcel received a ten percent adjustment for the steep driveway and stairs.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," and Member Obester absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No.123-165-16 be upheld.

04-188E HEARING NOS. LT-85ABC -86, -1133, -851, -1106, -88, -788,
-977, -89, -91

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located in Washoe County, Nevada, was set for consideration at this time. The specific location, zoning and present use of the parcels was stated on each individual petition.

Chairman Fox noted that for the remaining hearings there were no petitioners present and no letters or additional information had been provided for the Board to examine. He inquired of the Board and the Assessor's office if there was any reason why the hearings could not be consolidated, and no reasons were stated.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the remaining petitions be consolidated.

The Clerk called each hearing and parcel number individually.

Chairman Fox noted that there was no one present to represent the Appellants.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and stated that the Assessor would stand on their written record and Exhibits I, II, III and X. He noted that in Hearing LT-788 Exhibits I, II, III and XI were applied.

The Chairman closed the hearing.

Member Allison acknowledged that each of the petitions gave no information concerning the owner's opinion of market value for land, building, or personal property, and no statement of purchase price or date was presented. She said the petitions state the Petitioners are protesting the value of the land, building and personal property and the reason given was that the valuation methods are not supported by statute or regulation. The petitions notated the Petitioners would provide attachments at the hearings but these have not been provided. She confirmed that each petition has exactly the same markings and the Assessor provided individual appraisals for each of the properties.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-85ABC	J. Peter Baumgartner	123-031-04 123-033-01 123-033-05
LT-86	Michael A. and Betty D. Fisher	123-071-29
LT-1133	Walter B. and Bernadette Schneider, Tr.	123-121-16
LT-851	Robert L. and Thelma L. Gates	123-134-03
LT-1106	Thomas J. Smith	123-136-02
LT-88	Thomas R. and Joy W. Dahlgren, Tr.	123-146-04
LT-788	G. Stuart Yount, Trustee, et al.	123-151-08
LT-977	Norman A. Songey	123-154-07
LT-89	Bryan and Joy Shieman	123-161-03
LT-91	Ann Nygren	123-163-06

* * * * *

2:00 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 5, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Lori Rowe, Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

FRIDAY

9:00 A.M

FEBRUARY 5, 2004

PRESENT:

F. Ronald Fox, Chairman

Martha Allison, Vice Chairman

Jon Obester, Member*

Gary Schmidt, Member

Steven Sparks, Member

Amy Harvey, County Clerk

Nancy Parent, Chief Deputy Clerk

Leslie Admirand, Deputy District Attorney

Ernie McNeill, Senior Appraiser

The Board met pursuant to a recess taken on February 4, 2004, in the Auditorium of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWALS:

The following hearings scheduled for the February 5, 2004 agenda were withdrawn by the Petitioners:

Hearing No. LT-610 - Penny Crow Trust - Parcel No. 122-052-17

Hearing No. LT-809 - Mark & Charlene Sarsyeki - Parcel No. 125-592-14

Hearing No. LT-1073 - 623 Tyner LLC - Parcel No. 125-482-30

9:00 A.M. – BLOCK

PUBLIC COMMENTS

William Plocher, Washoe County property owner, requested information on the scope of the meetings. Chairman Fox explained that the Board of Equalization hears evidence and testimony from taxpayers who believe their assessed value is incorrect and from the Assessor as to why they believe the assessed value is correct. The Board weighs the two presentations; and, based on the evidence presented at the hearing, makes a decision as to whether or not the Assessor has placed a correct assessed value. He acknowledged that the Board does not deal with taxes or services, but with assessed value of real property that is placed on the roll for the real property tax in Washoe County. Any decision by the Board can be appealed to the State Board of Equalization, and the forms are available at each meeting.

Barry Brown, Washoe County resident, inquired if the format at the hearings was a cross-examination set-up, as in a courtroom. Leslie Admirand, Legal Counsel, explained the format of the Board was not set up for cross-examination. Mr. Brown was not in agreement with the format.

Gary Schmidt, 32-year Washoe County resident, stated this was his first year on the Board. He acknowledged his lengthy history of appeals to the County and State Boards of Equalization. He said he has concerns about the process and has requested a workshop to review the Board's legal authority and to consider making recommendations to the State Legislature in relation to the law.

DISCUSSION AND ACTION - POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board would first consider the hearings where the Petitioner was present, then consider any petitions where a letter or additional information was submitted, and then any remaining hearings that assert the same or similar reason(s) for the appeal would be consolidated.

9:20 a.m. Member Obester arrived at the meeting.

04-189E HEARING NO. LT-1113, LT-1127, LT-1114 – WILLIAM PLOCHER - PARCEL NOS. 125-173-21, 125-173-22, & 125-173-23

A petition for Review of Assessed Valuation received from William Plocher, protesting the taxable valuation on land and improvements located at 971 Dorcey Dr., 969 Dorcey Dr. and 967 Dorcey Dr., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated vacant, single-family residence, and vacant.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject properties.

Appraiser Diezel introduced Exhibit XII, Comparable Sales with Taxable Value per Square Foot, and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

William Plocher, Petitioner, was sworn and testified that he felt that all the parcels should be considered as one since two of the parcels have the house on them and one has most of the driveway on it. He stated he was in the process of having the parcels legally combined, but the process has been held up due to the expenses required for various assessments from other entities.

The Board discussed combining all the parcels, and the Petitioner confirmed that he would request one hearing for the three parcels.

On motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the three parcels be consolidated for consideration into one hearing.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and noted that the two parcels that are listed as vacant had been given reductions and that the assessments should stand. She further noted a reduction was given due to the slope of the driveway. She said that until the parcels are legally combined the Assessor is required to value each parcel separately.

The Board and Appraiser Diezel discussed lot size adjustments, assessed value of the lots if combined into one, the process the Petitioner would have to follow to combine the properties and comparable land sales.

In rebuttal, the Petitioner requested a reduction based on the slope of the driveway, and the fact the three parcels could not be sold separately because of the way the house and driveway are currently laid out on the parcels.

In response to Member Sparks, the Petitioner confirmed he had no plans to develop the vacant parcels at this time or in the near future.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors were not given enough weight by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of land on Parcel Nos. 125-173-21 and 125-173-23 be reduced to \$38,000 each; that the taxable value of the land on Parcel No. 125-173-22 be upheld; and that the taxable value of the improvements for all three parcels be upheld for a total taxable value of \$302,030 for the three parcels combined. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**04-190E HEARING NO. LT-1065 – WILLIAM N. & BARBARA
DOHRMANN - PARCEL NO. 125-185-11**

A petition for Review of Assessed Valuation received from William N. and Barbara Dohrmann, protesting the taxable valuation on land and improvements located at 999 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Barbara Dohrmann, the Petitioner, was sworn, and submitted photographs, Exhibit A, and testified that their land value should be reduced because of the high elevation and amount of snow the subject property receives. She stated that all winter conditions should be considered for the parcel.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII. She said the comparables sales used have comparable snow loads to the subject property.

In rebuttal, the Petitioner questioned the comparables used.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 125-185-11 be upheld.

04-191E HEARING NO. LT-1165 – DANIEL L. DOMINY
PARCEL NO. 125-252-07

A petition for Review of Assessed Valuation received from Daniel L. Dominy, protesting the taxable valuation on land and improvements located at 754 Randall Avenue, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Ernie McNeil, Senior Appraiser, was sworn in.

Daniel Dominy, the Petitioner, was sworn and said he was protesting the broad-stroke assessment of his property and the taxation amounts that followed. He requested an individual assessment, submitted photographs of his property and improvements, and photocopies of his assessment notifications, Exhibit A. He said the information sent to him from the Assessor office was confusing and not helpful to him.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and noted that she had

lowered the quality class of the improvements on the subject property, and a ten percent reduction from the base lot value was given due to the small size of the parcel. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In response to Chairman Fox, Appraiser Diezel explained that the Assessor is required by State statutes to value the improvement cost and replacement cost-new, less the State mandated 1½ percent depreciation per year. The Assessor gathers the information on the buildings and then the costs supplied to the Assessor from Marshall & Swift are used. She said that the Assessor is required to use Marshall & Swift by statute and regulation. She confirmed that the depreciation schedule is a legislated depreciation schedule. In regard to the land, she further explained that the Assessor is required by State statute to value the land at current market value. The Assessor looks at land sales in the area that are comparable and from the land sales the base lot values are determined. She acknowledged the base lot values are adjusted for different factors.

In response to Member Obester, Appraiser Diezel confirmed that the reappraisal cycle occurs every five years and in the interim years the Assessor does a statistical ratio study, which can result in factoring the land. The office develops the factors for the land. She said the building factors are determined by the State Department of Taxation.

Legal Counsel, Leslie Admirand, confirmed that the process used by the Assessor's office is an appropriate methodology and the methodology has been before the Board and has been approved by the Board. It has also been approved by the State Board of Equalization and is supported in the Nevada Revised Statutes and the Nevada Administrative Code.

Member Schmidt questioned the comparable sale adjacent to the subject property and asked why it was not used. Appraiser Diezel said it was not used because it was an older sale. Member Schmidt stated he would use all sales available in the neighborhood.

Ron Sauer, Senior Appraiser, explained that the Assessor seeks to find and use the best comparables possible.

In rebuttal, the Petitioner reviewed the increases on his parcel and requested an individual assessment of his property. He said he would accept the parcel adjacent to his as a comparable.

In response to Chairman Fox, Ms. Admirand confirmed that there are no statutes regarding the magnitude of an increases or decreases in the taxable or assessed values.

The Chairman closed the hearing.

Based on the FINDINGS that that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-252-07 be upheld.

04-192E HEARING NO. LT-748 – WILLIAM J. & MICHELLE L. BARNES, TR., PARCEL NO. 125-551-09

A petition for Review of Assessed Valuation received from William J. and Michelle L. Barnes, protesting the taxable valuation on land and improvements located at 712 Saddlehorn Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

Michelle L. Barnes, the Petitioner, was sworn, and submitted a letter, Exhibit A. She testified that she had been a real estate appraiser and understood the methods used to assess property. She said her first concern regarded establishing the taxable value of land. She stated one of items used was view classification and she was not in agreement with the classification for their parcel. She confirmed the Assessor would be verifying the view classification. She explained her second concern regarded time adjusted sales prices. She reviewed a number of properties to address her concern. She questioned the adjusted sales amounts and wanted clarification on why such a large range of land values exists. She wanted to know what factors are used and to make sure like comparables are used.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII. She said the land value of the subject property was given a five percent adjustment due to access.

In response to Member Schmidt, Appraiser Diezel explained time adjustment sales prices and the process used by the Assessor.

Member Allison stated the property seemed to be undervalued and under-assessed. Appraiser Diezel agreed the parcel was under market.

In response to Member Obester, Appraiser Diezel explained that the wide range of prices in the vacant land sales was due to the time element, the difference in each transaction and size differences of the lots.

In rebuttal, the Petitioner stated many aspects were not factored into land values, all V-2 views are not the same and she voiced her concern with the methodology used to establish land values. She said she was in disagreement with a set base lot value because all factors need to be considered for all individual parcels.

The Chairman closed the hearing.

Member Schmidt stated that universally accepted standards should not be applied to the Incline Village area. He said there have been too many changes in the market.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 125-551-09 be upheld, subject to the Assessor verifying the view classification.

11:30 a.m. Chairman Fox left the meeting and Member Allison assumed the gavel.

04-193E **HEARING NO. LT-207 – WILFRED S. PAUL, TR.**
PARCEL NO. 125-564-23

A petition for Review of Assessed Valuation received from Wilfred S. Paul, protesting the taxable valuation on land and improvements located at 674 Saddlehorn Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4a, and oriented the Board as to the location of subject property.

Wilfred S. Paul, the Petitioner, was sworn, and submitted a letter, Exhibit A. He questioned the time-adjusted factor of the comparable sales figures and pointed out inconsistencies in the comparable sales. He testified that there were comparable vacant land sales missing on the presentation from the Assessor. He said these properties had an impact on the trend of sales for comparable vacant land sales and should be considered. He stated he purchased his property in 2001 for \$665,000.

Vice Chairman Allison explained to the Petitioner that the Board has a very limited scope and cannot change any of the procedures that have been set by the State Board of Equalization. She said the time-adjustment factor was supported by the State Board of Equalization and the State Tax Board and no changes to those procedures could be made here at this Board.

Member Sparks discussed with the Petitioner the lot valuations and the impact on his parcel. Member Sparks acknowledged that the Assessor uses a lot

valuation and not a per square foot or per acre valuation. He explained to the Petitioner how this could impact his parcel.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII. She discussed the comparables and issues the Petitioner brought up regarding comparable properties the Assessor did not use. She said time-adjustment values were based on sale and resale of the same properties. She also stated she would verify the quality class of the improvements on the subject property for the Petitioner.

In rebuttal, the Petitioner stated his dissatisfaction with the process. He further explained his exhibits to the Board and answered their questions. He said the comparables he addressed needed to be left in and not removed by the Assessor.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Chairman Fox absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-564-23 be upheld, subject to the Assessor reviewing the property.

04-194E HEARING NO. LT-130 – MARK & CAROL BUERGIN
PARCEL NO. 125-132-08

A petition for Review of Assessed Valuation received from Mark and Carol Buergin, protesting the taxable valuation on land and improvements located at 725 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Mark Buergin, the Petitioner, was sworn and testified that he had questions concerning his view classification and the traffic impact on the parcel.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She further advised that she had made downward adjustments to the base lot value of the subject based on the access and traffic concerns of the parcel. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In rebuttal, the Petitioner stated he felt there needed to be a further reduction.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Chairman Fox absent, it was ordered that the taxable value of land and improvements on Parcel No. 125-132-08 be upheld, subject to the Assessor verifying the view classification.

04-195E HEARING NO. LT-728 – GARRY L. & ERICKA DUFF
PARCEL NO. 125-185-20

A petition for Review of Assessed Valuation received from Garry L. and Ericka Duff, protesting the taxable valuation on land and improvements located at 1007 Dorcey Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4b, and oriented the Board as to the location of subject property.

Garry L. Duff, the Petitioner, was sworn and testified that his land valuation was incorrect. He stated his first objection was the view factor that had been applied to his parcel. He said he would contact the Assessor to have the view verified. He explained that the comparable sales presented were not close to the subject property and were inadequate. He verified that he bought the property in 1982 for \$203,000.

Vice Chairman Allison clarified to the Petitioner that information on rental properties is not used in the process of assessing taxable values.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII. She agreed to verify the view classification if contacted by the Petitioner.

In rebuttal, the Petitioner stated his neighbor's remodel needed to be considered, along with the steepness of his driveway.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried with Chairman Fox absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 125-185-20 be upheld, subject to the Assessor verifying the view classification.

* * * * *

12:55 p.m. The remaining Board members left the meeting.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Lori Rowe, Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

FRIDAY

9:00 A.M

FEBRUARY 6, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member
Gary Schmidt, Member
Steven Sparks, Member

Nancy Parent, Chief Deputy Clerk
David Watts-Vial, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on February 5, 2004, in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS:

The following petitions scheduled on today's agenda have been withdrawn by the Petitioners:

Hearing No. LT-297B, Jerauld J. and Maureen K. La Barber, Tr., Parcel No. 130-061-08
Hearing No. LT-348, Herbert Schaffer, Parcel No. 127-420-15
Hearing No. LT-349, Shirley M. Mueller, Tr., Parcel No. 127-500-01
Hearing No. LT-391, Buck Nored, Tr., Parcel No. 130-192-01
Hearing No. LT-514, Ray E. Schwartz, Parcel No. 131-070-47
Hearing No. LT-781, Susan O'Shaughnessy, Parcel No. 129-650-11

9:00 A.M. - BLOCK

DISCUSSION AND ACTION – POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board would first consider the hearings where the Petitioner was present, then consider any petitions where a letter or additional information was submitted, and any remaining hearings that assert the same or similar reasons(s) for the appeal would be consolidated.

Chairman Fox informed the people in attendance that the Board wanted to give each petitioner every opportunity to present any information concerning the value of their property. He explained that the petition filed was for a review of the assessed

valuation to the Washoe County Board of Equalization. He said a property's value would be the only subject for discussion because that is the Board's only jurisdiction. He advised the Board could not make any decisions regarding taxes or services. The Chairman further explained that it is the property owner's burden to show that the Assessor has valued their property wrong or that the taxable value exceeds the market value.

04-196E HEARING NO. LT-331 – VERA M. PIZZO, ET AL.
PARCEL NO. 127-320-11

A petition for Review of Assessed Valuation received from Vera M. Pizzo, et al., protesting the taxable valuation on land and improvements located at 136 Juanita Drive, #11, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Anne Pellegrini, spokesperson for the Petitioner, was sworn, submitted a letter, Exhibit A, and testified that a two-bedroom condominium was a very rare property within the complex. She requested that someone explain how the value was determined so she would know how to argue that the value was incorrect. She stated the quality of the subject parcel was lower than the comparables, and that was why she believes the tax base that had been applied to the subject parcel was incorrect and the parcel overvalued.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. Appraiser Del Giudice noted the comparable sales were two bedroom condominiums, as was the subject parcel. She stated the Assessor would stand on their written record and Exhibits I, II, III and V. She confirmed the Exhibits were available in the room for the public.

In response to Chairman Fox, Appraiser Del Giudice explained that the methodology used to value the land was allocation and she confirmed the method was allowed by statute and regulation and approved by the Department of Taxation.

Member Schmidt inquired about the size of the condominiums and comparables, and Appraiser Del Giudice provided the information requested.

In rebuttal, Ms. Pellegrini stated the two-bedroom condominiums were taxed the same as the three-bedroom units and she did not agree with this. Even though the square footage was the same, she said it was difficult to justify the amount of the sales price and taxes on a two-bedroom compared to a three-bedroom because they do not hold the same value. She questioned the accuracy of the comparables.

Member Allison reviewed Exhibit III with Ms. Pellegrini to assist her in understanding the comparables. Member Allison said that the increased assessed value of the properties greatly increases the equity in the properties and that would be positive for the owners.

The Petitioner inquired how a homeowner would protect their property against increasing taxes, and Chairman Fox explained that was outside the scope of the Board, but an appointment with the Assessor could be of value for the Petitioner.

The Chairman closed the hearing.

Member Schmidt stated that the property was valued at one-third of market value. Chairman Fox said the property was consistent with the condominiums that had been presented and the values were relative to market value.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-320-11 be upheld.

04-197E HEARING NO. LT-772 – S.J. AND BARBARA A. MONRO
PARCEL NO. 130-222-22

A petition for Review of Assessed Valuation received from S.J. and Barbara A. Monro, protesting the taxable valuation on land and improvements located at 999 Lakeshore Blvd., #50, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

Ken Viel, spokesperson for Petitioner, was sworn, read and submitted a letter, Exhibit A, which the Board reviewed and discussed. The letter expressed the concerns of the Petitioner. Mr. Viel stated the Petitioner did not get to see how his property was valued. He said the information that was given at the hearing should have been made available earlier for the Petitioners.

Chairman Fox inquired how many times the Petitioner had been into the Assessor's office to gain the information he desired, and Mr. Viel stated he did not know what effort was made by the Petitioner.

Member Allison pointed out that the Petitioner did not offer any information about his opinion of the market value for his land or building and the statement given by the Petitioner that valuation methods were not supported by statute or

regulation was not an area the Board could address. Mr. Viel confirmed he was present to read the letter and that was what the Petitioner had requested of him.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She confirmed that the square footage was 1636 on their record, not 1000 as stated by the Petitioner. She said the comparable sales were not time adjusted. In regard to the comparables, she explained that units closer to the beach would be higher priced. She stated the Assessor would stand on their written record and Exhibits I, II, III and V.

Mr. Viel did not have a rebuttal.

The Chairman closed the hearing.

Member Schmidt stated that the property had a taxable value substantially below market value based upon the comparables.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-222-22 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-198E HEARING NO. LT-471 – ERIK E. FAIR
PARCEL NO. 130-390-06

A petition for Review of Assessed Valuation received from Erik E. Fair, protesting the taxable valuation on land and improvements located at 314 Ski Way, #6, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-TC and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Erik E. Fair, Petitioner, was sworn and testified that there was no adjustment given for the high traffic area where the subject property was located. He said Ski Way was the principle road leading up to Diamond Peak Ski area and pointed out that a busy intersection rests below the units. He inquired about the difference in the land value versus the building value.

In response to Member Sparks, the Petitioner said that he purchased the property in 2002 and he paid \$772,000.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She said the land value was determined using the allocation method of sales in the same complex, which would have the same traffic impact as the subject parcel. She confirmed the traffic impact would already be recognized in the market value of the sales. She stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Chairman Fox, Appraiser Del Giudice explained that no adjustments had been made to the base lot value within the complex. She said she was aware of the traffic affecting the entire complex and the base lot value would reflect any adjustment necessary for the noise impact from the traffic.

In response to Member Obester, Chairman Fox explained that the methodology legislated to arrive at the taxable value of improvements is the Marshall & Swift costing less depreciation. He said there was nothing in the statute or regulations that require there be any percentage ratio between land and improvements.

Member Allison noted that the subject parcel appeared to be valued at much less than the Petitioner paid for the property.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-390-06 be upheld.

04-199E HEARING NO. LT-534 – JOHN T. AND MARY M. SCULLY, TR.
PARCEL NO. 131-140-10

A petition for Review of Assessed Valuation received from John T. and Mary M. Scully, Tr., protesting the taxable valuation on land and improvements located at 916 Harold Drive, Unit 10, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated 021-condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

John Scully, Petitioner, was sworn, submitted a document, Exhibit A, and, in response to the Chairman, testified that the subject parcel was purchased in 1995 for \$190,000. He did not have an opinion of the market value. He said he was at the hearing to apply for specific relief regarding the land value. He said units 1-10 in his complex have a base lot value of \$87,000 and units 11-50 have a base lot value of \$76,000. He stated the units were basically the same and he requested his value be decreased to the \$76,000 value.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She explained that units 1-10 had an upward adjustment due to their location on the golf course. She stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In rebuttal, the Petitioner said there was no indication from the Assessor regarding a golf course view code. He pointed out that the location of the subject parcel was far off the golf course. Chairman Fox asked the Petitioner what was between his property and the golf course. Petitioner Scully responded that there are a few trees between his property and the golf course.

The Chairman closed the hearing.

Member Obester desired to see the base lot value lowered to \$76,000, to bring the subject parcel into compliance with the other units.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester voting "no", it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 131-140-10 be upheld.

04-200E HEARING NO. LT-537 – TORBEN AND KRISTEN LINDSTROM,
TR. - PARCEL NO. 131-140-39

A petition for Review of Assessed Valuation received from Torben and Kristen Lindstrom, protesting the taxable valuation on land and improvements located at 916 Harold Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Torben Lindstrom, the Petitioner, was sworn, submitted a letter, Exhibit A, and, in response to questioning by Chairman Fox, testified that he bought his property in 1985 for \$80,000. He reviewed his letter and requested his property be reappraised on

the basis of correct and legal methods of appraisal adopted and approved by the Nevada Tax Commission. He also requested the assessment of his property be reduced to the level of the assessment for 2002/03 and a refund of taxes be granted.

In response to Member Obester, the Petitioner stated that he requested his assessment be reduced to the 2002/03 amount because he wanted to be reasonable in his request and that was the year before the level increased drastically.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Member Schmidt commented that the reason stated on the petition for the owner's opinion that the subject property was improperly valued was that valuation methods are not supported by statute or regulation. He said those are issues under adjudication currently. He stated the Assessor's office has the capacity to more than double the taxable value on the subject parcel to bring it up to market value.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-140-39 be upheld.

It was ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-201E HEARING NO. LT-329 – KENNETH R. AND ALFONZIA V. BLASÉ, TR. - PARCEL NO. 127-310-20

A petition for Review of Assessed Valuation received from Kenneth R. and Alfonzia V. Blase, Tr., protesting the taxable valuation on land and improvements located at 120 Juanita Drive, Unit #20, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Chairman closed the hearing.

Member Sparks said that the Petitioner's letter stated he was protesting the Assessor's use of methods for appraisal that have not been approved by the Tax Commission or any existing statute, and he acknowledged that the statements were not applicable to the hearing.

In response to the letter, Member Allison commented that the subject property was under-assessed, and she did not believe the Petitioner was requesting an increase in their value.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-310-20 be upheld.

04-202E HEARING NO. LT-906 – LOUIS D. JR. AND ELIZABETH T. STEVENS, TR. - PARCEL NO. 127-320-22

A petition for Review of Assessed Valuation received from Louis D. Jr. and Elizabeth T. Stevens, Tr., protesting the taxable valuation on land and improvements located at 136 Juanita Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Schmidt, Appraiser Del Giudice confirmed that no view factor was applied to the subject property.

Chairman Fox stated that there was no statutory limitation on the magnitude of changes in assessed value.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-320-22 be upheld.

04-203E HEARING NO. LT-342 – JOHN S. AND ROSE MARY J. COLLINS
PARCEL NO. 127-361-21

A petition for Review of Assessed Valuation received from John S. and Rose Mary J. Collins, protesting the taxable valuation on land and improvements located at 989 Tahoe Blvd., #39, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-TC and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Chairman closed the hearing.

Member Sparks stated that the five-year reassessment cycle could bring about large increases in taxable value, instead of a steady increase over a five-year period. He said the Assessor follows the procedures set by State law.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-361-21 be upheld.

04-204E HEARING NO. LT-343 – RICHARD E. VOEGE
PARCEL NO. 127-362-02

A petition for Review of Assessed Valuation received from Richard E. Voege, protesting the taxable valuation on land and improvements located at 989 Tahoe Blvd., #45, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-TC and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, Appraiser Del Giudice stated she was not aware of any changes in the parking availability for the subject parcel. She said only condominium sales were used to estimate condominium land value.

Member Schmidt noted that the letter stated concerns for use of time adjustments, view categories and teardowns, but presented no evidence for the Board to consider in relation to those matters. He said the Board does not have the authority to deal with equalization throughout the State. He confirmed that the State Board of Equalization would have that authority. He stated this Board has authority to deal with equalization in Washoe County, but no evidence was presented for review.

Member Obester stated that the Board has seen evidence that the ratio between taxable value and market value in the area of the subject parcel is in fact lower than in other parts of Washoe County. He said the values have continued to be low and the condominiums were even lower.

Chairman Fox explained that the ratio studies done over the last 15 to 20 years have shown that Incline Village properties were consistently valued lower than other parts of Washoe County. He said the reason was the rapid increase in values in Incline Village. He said the Assessor has to constantly attempt to keep up with the increases.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-362-02 be upheld.

04-205E HEARING NO. LT-909 – ROGER W. AND ZOE L. HILL, TR.
PARCEL NO. 127-363-23

A petition for Review of Assessed Valuation received from Roger W. and Zoe L. Hill, Tr., protesting the taxable valuation on land and improvements located at 989 Tahoe Blvd., #27, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-TC and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Cori Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-363-23 be upheld.

04-206E HEARING NO. LT-910 – JEREMIAH J. SULLIVAN, TR., ET AL.
PARCEL NO. 127-420-06

A petition for Review of Assessed Valuation received from Jeremiah J. Sullivan, Tr., et al, protesting the taxable valuation on land and improvements located at 875 Southwood, #6, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V. She confirmed that the Assessor's office did mail the requested comparable lot sales on January 5, 2004.

The Chairman closed the hearing.

In response to Chairman Fox, David Watts-Vial, Legal Counsel, confirmed that Petitioners had been properly noticed for the hearings.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-420-06 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-207E HEARING NO. LT-357 – KENT A. & JILL E. FERRIER, TR.
PARCEL NO. 128-330-02

A petition for Review of Assessed Valuation received from Kent A. and Jill E. Ferrier, Tr., protesting the taxable valuation on land and improvements located at 685 Palmer Court, #2, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 041-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter and photographs, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Schmidt, Appraiser Del Giudice explained that the subject parcel was a V-2 and all of the comparables also had a V-2 classification. She stated she spoke with the Petitioner regarding the view in February of 2004 and suggested she schedule an appointment for view verification. The Petitioner sent a letter to the Board instead asking for a change in the view classification.

In response to Member Sparks, Appraiser Del Giudice stated that single-family residential size lots were not used to value the land, but condominium sales were used.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 128-330-02 be upheld.

04-208E HEARING NO. LT-364 – MICHAEL A. TOROPOVSKY
PARCEL NO. 129-040-01

A petition for Review of Assessed Valuation received from Michael A. Toropovsky, protesting the taxable valuation on land and improvements located at 685 Titlist, #1, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 041-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7c, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Schmidt, Appraiser Del Giudice stated no adjustments were made for the view and size of the lot or the steep driveway. She said the Petitioner could contact the Assessor to discuss the driveway. She confirmed that no adjustments were made for steep driveways throughout the complex.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 129-040-01 be upheld.

04-209E HEARING NO. LT-423 – BRIAN K. AND PATRICIA J. SMITH
PARCEL NO. 130-221-16

A petition for Review of Assessed Valuation received from Brian K. and Patricia J. Smith, protesting the taxable valuation on land and improvements located at 999 Lakeshore, #16, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V. She said the letter declared that the Assessor refused to provide specific comparables pertaining to the subject property, and the Assessor's records indicated that there was no request for the information.

Member Schmidt acknowledged there was no evidence before the Board to support and substantiate the allegations of the Appellant.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-221-16 be upheld.

04-210E HEARING NO. LT-841 – BARBARA D. SUNDAHL, TR., ET AL.
PARCEL NO. 130-221-18

A petition for Review of Assessed Valuation received from Barbara D. Sundahl, Tr., et al, protesting the taxable valuation on land and improvements located at 999 Lakeshore Blvd., #18, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

Member Schmidt inquired if the units in the complex had garages, and Appraiser Del Giudice confirmed that there were no garages.

Member Obester requested clarification regarding the letter from the Petitioner's lawyer. David Watts-Vial, Legal Counsel, explained the letter was addressed to the Assessor's office and there was nothing in the letter for the Board to discuss. Member Schmidt stated there was no evidence before the Board to substantiate any denial of access to public records.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded

by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-221-18 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-211E HEARING NO. LT-463 – MORTON J. AND F. RUTH PARKER, TR. - PARCEL NO. 130-381-08

A petition for Review of Assessed Valuation received from Morton J. and F. Ruth Parker, Tr., protesting the taxable valuation on land and improvements located at 198 Country Club Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

Member Allison verified the comparable sales compared to the taxable value of the subject property with Appraiser Del Giudice.

The Chairman closed the hearing.

Member Schmidt said the Petitioner requested a reevaluation due to an error being made in computing the taxable value, but there was no indication of what the error was and no evidence to substantiate any allegation of an error.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-381-08 be upheld.

04-212E HEARING NO. LT-467 – ADOLFO MAYOR, TR. PARCEL NO. 130-382-11

A petition for Review of Assessed Valuation received from Adolfo Mayor, Tr., protesting the taxable valuation on land and improvements located at 198

Country Club Drive, Unit #50, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Chairman closed the hearing.

David Watts-Vial, Legal Counsel, explained that there was no statutory limit on the magnitude of changes in the assessed valuation from year to year.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-382-11 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-213E HEARING NO. LT-469 – ELEANOR A. SAULLS
PARCEL NO. 130-383-01

A petition for Review of Assessed Valuation received from Eleanor A. Saulls, protesting the taxable valuation on land and improvements located at 198 Country Club Drive, #34, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, Appraiser Del Giudice stated that she looked at the original sales in the area and there was little variation in the sales prices, which indicated the market did not recognize a traffic impact.

Member Schmidt inquired about the traffic impact within the complex and if any adjustments had been made for any of the units. Appraiser Del Giudice stated that no adjustments were made and her opinion was that the traffic was an insignificant factor.

The Chairman closed the hearing.

Member Schmidt stated he would support a motion for a slight adjustment due to the traffic impact for the subject parcel.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-383-01 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-214E HEARING NO. LT-470 – JOHN F. AND DEBRA H. IANNUCCI
PARCEL NO. 130-383-14

A petition for Review of Assessed Valuation received from John F. and Debra H. Iannucci, protesting the taxable valuation on land and improvements located at 198 Country Club Drive, #27, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, she said she did not have any record of a request from the Petitioner regarding the process for their property assessment.

Member Schmidt noted that the Petitioner raised the concern of traffic as an adverse factor for the subject parcel. He stated there was no evidence to support an adjustment at this time, but he suggested the Assessor consider that factor in detail in the future.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-383-14 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

**04-215E HEARING NO. LT-511 – GARY R. AND LYNDA J. NIELD, TR.
PARCEL NO. 131-040-02**

A petition for Review of Assessed Valuation received from Gary R. and Lynda J. Nield, Tr., protesting the taxable valuation on land and improvements located at 645 Country Club Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Schmidt, Appraiser Del Giudice confirmed that the units in the complex had no view and no garages.

In response to Member Sparks, Appraiser Del Giudice stated that no single-family homes on the East slope were used for the improved comparable sales.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded

by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-040-02 be upheld.

04-216E HEARING NO. LT-538 – JACK J. AND PATRICIA K. WILLIS
PARCEL NO. 131-170-08

A petition for Review of Assessed Valuation received from Jack J. and Patricia K. Willis, protesting the taxable valuation on land and improvements located at 945 Harold Drive, Unit 21, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V. She said a request for comparable sales was received from the Petitioner on December 26, 2003, and the comparables were mailed out on January 5 and 21, 2004.

In response to Member Sparks, Appraiser Del Giudice stated that condominium sales were used for valuation. She confirmed that the Assessor does not time adjust values. She explained that a land value to property value ratio was used and that was 25 percent, if not on the lake front.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 131-170-08 be upheld.

04-217E HEARING NO. LT-540 – R.B. AND PATRICIA A. HOLZKNECHT,
TR. - PARCEL NO. 131-180-13

A petition for Review of Assessed Valuation received from R.B. and Patricia A. Holzknacht, Tr., protesting the taxable valuation on land and improvements located at 949 Harold Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, Appraiser Del Giudice confirmed that there was no change in physical configuration because of the reassessment. In reference to the letter, she said she did not know that townhouses had always been rated lower than condominiums.

Member Schmidt stated that a townhouse should not be termed a condominium because it causes confusion for the public.

Chairman Fox explained that Marshall & Swift does not have separate costings for townhouses and condominiums because the type of construction was similar, and the Assessor confirmed that to be correct. He said it does cause confusion and possibly in the future the Assessor would be able to refer to a townhouse as a townhouse.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-180-13 be upheld.

04-218E HEARING NO. LT-884 – LOUIS J. STEFANCICH, ET AL.
PARCEL NO. 131-190-05

A petition for Review of Assessed Valuation received from Louis J. Stefancich, et al, protesting the taxable valuation on land and improvements located at 948 Harold Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, Appraiser Del Giudice explained that other condominiums were considered in determining the land value, not single-family residential properties. She confirmed the methods of appraisal were approved by the Tax Commission and applicable to existing statute. She said a representative photograph was taken in each complex rather than taking 4,000 photographs.

In response to Member Schmidt, Member Sparks explained that the land was designated condominium and owned in condominium. It was not designated a condominium unit. He said a townhouse means that the unit has shared walls, and it was not being taxed as a condominium building. It was deemed a townhouse because of the construction.

The Chairman closed the hearing.

Member Schmidt requested the Assessor and Legal Counsel bring forward universal definitions of terms discussed, such as single-family residence, condominiums and townhouses.

Based on the FINDINGS that the taxable value does not exceed full cash value evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-190-05 be upheld.

04-219E HEARING NO. LT-572 – EDWARD V. AND THERESA A. LEWANDOWSKI, TR. - PARCEL NO. 131-430-07

A petition for Review of Assessed Valuation received from Edward V. and Theresa A. Lewandowski, Tr., protesting the taxable valuation on land and improvements located at 928 Northwood Blvd., #7, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded

by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-430-07 be upheld.

**04-220E HEARING NO. LT-573 – WENDELIN W. AND JANICE E.
SCHAEFER - PARCEL NO. 131-440-04**

A petition for Review of Assessed Valuation received from Wendelin W. and Janice E. Schaefer, protesting the taxable valuation on land and improvements located at 978 Fairway View Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter and photographs, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

Member Sparks inquired if there was a golf course view included in the land valuation for the subject property. Appraiser Del Giudice confirmed that to be true and supported by the market evidence gathered by the Assessor. She said adjustments were not given for garbage dumpsters. She explained that other condominium sales and an allocation method were used to determine the land value.

In response to Member Obester, Appraiser Del Giudice confirmed that the condominium association was assessed annually and billed taxes for the land held in common. She said there was a \$500 token value on the common area parcel, and the five units pay a pro-rated share of \$500, which ends up to be \$35 assessed.

Member Schmidt inquired how the subject parcel could be determined a condominium when it was a free-standing unit on a single parcel, and Appraiser Del Giudice explained it would be designated a condominium based on the parcel map stating it was condominium ownership. Chairman Fox confirmed that the parcel map would be the official map filed by the subdivider of the property and recorded in Washoe County.

In response to Member Obester, Appraiser Del Giudice confirmed that a condominium was a form of ownership and a townhouse was a form of construction.

Chairman Fox further explained the definition of a condominium concept for the Board.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-440-04 be upheld.

04-221E HEARING NO. LT-334A – JOHN AND ANDROULLA CLEMENT
PARCEL NO. 127-362-03

A petition for Review of Assessed Valuation received from John and Androulla Clement, protesting the taxable valuation on land and improvements located at 989 Tahoe Blvd., #46, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-TC and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Sparks, Appraiser Del Giudice said she knew of no condominiums that had sold for \$300,000 in the complex.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-362-03 be upheld.

04-222E HEARING NO. LT-334B – JOHN AND ANDROULLA CLEMENT
PARCEL NO. 127-363-37

A petition for Review of Assessed Valuation received from John and Androulla Clement, protesting the taxable valuation on land and improvements located at 989 Tahoe Blvd., #99, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-TC and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Del Giudice stated the Assessor would stand on their written record and Exhibits I, II, III and V.

In response to Member Schmidt, Appraiser Del Giudice verified that all of the condominium units were impacted by only one entry and exit, a narrow, steep and not clearly marked driveway that was shared with a school and an urgent care medical clinic.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-363-37 be upheld.

04-223E HEARING NO. LT-509 – GLATTES FAMILY TRUST
PARCEL NO. 131-032-06

A petition for Review of Assessed Valuation received from Glattes Family Trust, protesting the taxable valuation on land and improvements located at 696 Village Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice presented her recommendation to the Board explaining that due to a clerical error, the residence was incorrectly costed as a two-story instead of a finished 2.5 story residence. She recommended a reduction of the improvement value. She stated the Assessor would stand on their written presentation and Exhibits I, II, III and V. She said she was unable to contact the Petitioner to discuss the recommendation.

The Chairman closed the hearing.

Based on the FINDINGS that there was a clerical error, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 131-032-06 be upheld; and the taxable value of the improvements be reduced to \$98,168.00 for a total taxable value of \$174,168.00.

04-224E **HEARING NOS. LT-158A, -328, -330, -332, -333, - 334, -335, -907, -480, -336, -337, -338, -340A, -759, -760, -341, -908, -455, -345, -346, -347, -762, -862A, -770B, -339, -486, -767, -365, - 366, - 367, - 368, -370, -373, -374, -780, -779, -375, -389, -390, -777, -392, -393, -394, -395, -911, -424, -771, -461, -462, -464, -465, -466, -468, -923, -502, -503, -504, -791, -505, -506, -507, -792, -510, -512, -513, -524, -437B, -535, -536, -864, -539, -541, -542, -570, -571, -802**

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located in Washoe County, Nevada, was set for consideration at this time. The specific location, zoning and present use of the parcels was stated on each individual petition.

Chairman Fox noted that, for the remaining hearings, there were no letters or additional comments for the Board to consider. He reconfirmed that there were no Petitioners present. He inquired if the Board or the Assessor had any reason why the remaining hearings could not be consolidated, and no reasons were given.

On motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the remaining petitions be consolidated.

The Clerk called each hearing, property owner's name and parcel number separately.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and stated that the Assessor would stand on their written record and Exhibits I, II, III and V.

No Petitioners were present.

The Chairman closed the hearing.

Member Allison stated that these petitions gave the Board no information to review or discuss; there was no owner's opinion of the market value for the land and building; no information on purchase price or purchase date; and the reason for the appeal was that the valuation methods were not supported by statute or regulation. She acknowledged the petitions said additional material would be provided at the hearing, and the Board did not receive additional evidence to consider.

Member Schmidt noted there was no relief requested on the petitions from the Petitioners.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-158A	George W. and Ann C. Brown	127-310-01
LT-328	Dennis H. and Ingrid L. Stone	127-310-04
LT-330	Gene and Julie A. Hipp	127-310-21
LT-332	Jack R. and Janet F. McCabe	127-320-16
LT-333	Donald R. and June F. Seaton	127-320-17
LT-334	Bernard L. and Marjorie A. Arritt	127-320-28
LT-335	Beverly M. Mills	127-320-35
LT-907	Floyd E. and Lorene A. Sims, Tr.	127-320-44
LT-480	Robert M. and Alice E. Terheyden	127-320-50
LT-336	Thomas P. and Lynette G. Cardinale	127-320-51
LT-337	Ronald J. Jr. and Megan P. Warren	127-320-53
LT-338	Robert H. and Veronica R. Vierra, Tr.	127-320-55
LT-340A	Vector Laboratioers, Inc.	127-330-02
LT-759	Christine B. Van Slyke	127-330-05
LT-760	Robert J. and Beverly J. Prowse, Tr.	127-330-10
LT-341	Stephen R. and Amelia G. Thomson	127-361-12
LT-908	Robert C. and Stella Moser, Tr.	127-363-07
LT-455	Robert A. and Rose M. Sauder	127-363-10
LT-345	David E. Davis, Tr.	127-363-18
LT-346	Terry M. and Judith M. Moore, Tr.	127-420-08
LT-347	Ross J. and Bonnye J. Thomas, Tr.	127-420-09
LT-762	Thomas A. and Elizabeth G. Ferrari	127-420-31
LT-862A	David and Kathryn Pasek, Tr.	127-450-06
LT-770B	Ronald R. and Susan M. Antinori	127-450-08
LT-339	Donald M. and Vera J. Matle, Tr.	127-470-11
LT-486	Terry J. and Valarie D. Zimmerman	127-560-17
LT-767	Clayton and Carol Bowling, Tr.	128-140-03
LT-365	Raymond E. and Sandra L. McDonald	129-252-04
LT-366	Theo W. and Christa Kaltenberg, Tr.	129-252-14
LT-367	Jorge A. Romero-Lozano	129-260-18
LT-368	Maxine C. Cancilla, Tr.	129-270-17
LT-370	Ronald D. and Shelly A. Wright	129-370-03
LT-373	Margaret M. Wilson, Tr.	129-410-04
LT-374	William D. Commerford, Tr.	129-650-32
LT-780	Lynn E. and Jill J. Henricks, Tr.	130-061-15
LT-779	Elizabeth R. and Michael Saint	130-061-17
LT-375	Stephen L. and Karen S. Kinsey, Tr.	130-061-22
LT-389	James A. and Christine A. Russell	130-180-31
LT-390	Paul W. and Jalyne A. Leonhart, Tr.	130-180-45
LT-777	Gail E. and Helen I. Oldfather, Tr.	130-180-56
LT-392	Lony Traugott, et al, Tr.	130-192-05
LT-393	George A. and Carol M. Rustigian, Tr.	130-192-09
LT-394	Hans-Dieter, Kapust, Tr.	130-192-11

LT-395	Sarkis S. and Anahid Sarkisian	130-192-12
LT-911	Peter J. and Donna Hall, Tr., et al	130-221-04
LT-424	Betty H. Wanger, Tr.	130-222-29
LT-771	John A. and Marlene G. Lamon, Tr.	130-222-32
LT-461	Marrone Family Limited Partnership	130-381-05
LT-462	James W. and Jean P. Rapoport, Tr.	130-381-06
LT-464	Robin J. Smith	130-381-09
LT-465	Ronald D. and Elaine B. Schurter, Tr.	130-381-10
LT-466	Howard P. and Ardith Marguleas, Tr.	130-382-10
LT-468	Susan Larson, Tr.	130-382-17
LT-923	Michael J. Loskutoff, Tr.	130-383-10
LT-502	Reed D. Robinson	131-021-06
LT-503	Ray C. Jr. and Joan H. Robinson, et al, Tr.	131-021-07
LT-504	Gene P. and Rhonda B. Scattini	131-021-20
LT-791	Ronald R. and Gladene Clarke	131-022-13
LT-505	William G. Robinson, Tr.	131-023-03
LT-506	Robert C. and Marnelle E. Hibbard	131-023-04
LT-507	Larry J. Henry, Tr.	131-023-07
LT-792	Minnie Y. Chinn, et al	131-032-08
LT-510	Wendell H. Dodds	131-032-12
LT-512	Charles E. Stock	131-070-04
LT-513	John E. and Lillian A. Whalen, Tr.	131-070-21
LT-524	Edward C. and Margaret L. Gilmore	131-090-08
LT-437B	Benjamin T. and Ann Pao Kong, Tr.	131-140-11
LT-535	Timothy J. and Marietta F. Scott	131-140-14
LT-536	Harold B. and Donna L. DeRoos	131-140-32
LT-864	Sylvia Magaddino, Tr.	131-150-02
LT-539	Howard E. and Sharon L. Cluever	131-180-02
LT-541	James J. and Barbara V. Kelly	131-190-07
LT-542	Wendy M. Colby	131-190-15
LT-570	Raymond A. Salazar	131-300-02
LT-571	Thomas A. and Cynthia E. Inskeep	131-340-06
LT-802	Bruce J. Lindenbaum	131-430-13

BOARD MEMBER COMMENTS

Member Sparks requested a future agenda item for the Board to discuss requesting the Assessor's office to review the condominium taxable values in the Incline Village area.

Member Obester inquired about the hearings that were not finished on February 4, 2004, and David Watts-Vial, Legal Counsel, explained that the hearings would be re-noticed and set for a later date.

In response to Member Obester, Mr. Watts-Vial said that the pay to the Board was set by the Legislature, and in order to gain a raise it would need to be brought before the Legislature at their next session. Member Schmidt stated he would like this as a topic for discussion at the next workshop.

PUBLIC COMMENTS

Gary Schmidt, Washoe County resident, stated the Board serves in a time of dissension, confusion, dissatisfaction and turmoil concerning the entire appraisal and review process. The Board has a number of incomplete petitions before them and 1600 appeals in total to consider. In years past, the average number would be about 200. He said the Board has weighed and considered the evidence and given proper consideration to the petitions. He stated that the Board and the Assessor's office have performed admirably, in spite of complaints from petitioners of short noticing of their hearings and the alleged failures to provide them with requested records in a timely manner. He declared the system was failing and needed to be reviewed and modified. He explained that a workshop, to be held after the hearings, would be a place for the Board to consider its role in improving the system, and possibly produce recommendations to send to the State legislature. He commented on the Board's role in giving direction to the Assessor's office and correcting their methodologies if needed.

* * * * *

12:37 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 9, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy and Lori Rowe
Deputy Clerks*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

MONDAY

9:00 A.M

FEBRUARY 9, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member
Gary Schmidt, Member
Steven Sparks, Member

Nancy Parent, Chief Deputy Clerk
Leslie Admirand, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on February 6, 2004, in the Washoe County District Health Building, South Conference Room (Room B), 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the Petitioners:

Hearing No. LT-985, Carl C. and Virginia M. Chappell, Jr., Parcel No. 128-041-09
Hearing No. LT-1257, John H. and Liliana M. Frank, Parcel No. 131-080-27

9:00 A.M. - BLOCK

Chairman Fox explained to the Petitioners the order of the day. He clarified that the Board of Equalization hears evidence and testimony from taxpayers who believe their assessed value is incorrect and the Assessor explains why they believe the assessed value is correct. The Board weighs the two presentations and, based on the evidence presented at the hearing, makes a decision as to whether or not the Assessor's taxable value is correct. Any decision by the Board can be appealed to the State Board of Equalization, and the forms are available at each meeting. Chairman Fox read the directions that accompany the petitions from the State Board of Equalization. He emphasized that the Board does not hear tax issues and is unable to do anything about taxes.

DISCUSSION AND ACTION – POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board would first consider the hearings where Petitioners are present, then consider any petitions where a letter or additional information was submitted, and then any remaining hearings that assert the same or similar reason(s) for the appeal would be consolidated.

04-225E HEARING NO. LT-990 – SUZANNE SCHELL, ET AL
PARCEL NO. 131-213-14

A petition for Review of Assessed Valuation received from Suzanne Schell, et al, protesting the taxable valuation on land and improvements located at 664 Country Club Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Ken Hubbard, husband of the Petitioner, was sworn, and submitted a letter and pictures, Exhibit A, and read his letter into the record. He also submitted real estate flyers, Exhibit B. He stated that the subject parcel has no view of the lake, and the Assessor has not considered traffic impacts. He was not in agreement with the comparable sales used by the Assessor. He requested the subject parcel's land value be reduced down to the 1998 level of \$150,000.

Appraiser Lopez submitted Exhibit XIII, Assessor's East Slope Vacant Land Sales. Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. He said the subject property was assessed with no view, and the traffic was deemed to not be a significant enough factor to warrant an adjustment. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

In rebuttal, the Petitioner said the traffic should be deemed as significant. He described Country Club Drive as a major thoroughfare, especially for contractors in the morning hours. He stated it was unfair that his property was compared to view lots.

The Chairman closed the hearing.

Chairman Fox stated the issue to consider for the subject property would be the traffic impact and if an adjustment to the base lot value would be warranted.

Member Allison reviewed the comparable sales and pointed out that no adjustment was given for traffic on the comparable parcels, which are also on Country Club Drive.

Member Schmidt stated the Assessor has not followed the Nevada Administrative Code concerning showing the subject property and the comparable sales on the same map, which he considers a technical violation by the Assessor.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 131-213-14 be upheld.

04-226E HEARING NO. LT-892 – HERBERT F. PRIMOSCH
PARCEL NO. 131-225-20

A petition for Review of Assessed Valuation received from Herbert F. Primosch, protesting the taxable valuation on land and improvements located at 504 Country Club Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Herbert F. Primosch, the Petitioner was sworn and submitted a letter, traffic counts, photographs and TRPA Best Management Practice (BMP) Requirements, Exhibit A, and testified that he purchased the property in 1991 and paid \$260,000 for the parcel. He stated his property valuation had been incorrectly determined due to adverse factors affecting the value, the fair economic expectancy of the property does not justify the valuation and the taxable value was greater than the full cash value. He proceeded to read his letter outlining the adverse factors of traffic, high fire danger and protection, sediment, water drainage, snow removal and utilities.

Appraiser Lopez, reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He further disputed what the Petitioner stated concerning the BMP's and stated the Assessor would stand on their written presentation and Exhibits I, II, III, IV and XIII.

In response to Member Allison, Appraiser Lopez confirmed he did have a telephone conversation with the Petitioner. He said that snow removal would not be considered an adverse factor, as all the parcels in the area deal with the same situation.

Appraiser Lopez answered questions from the Board regarding comparable sales, taxable values of nearby parcels and why some parcels were used as

comparables and other properties were not used. He stated the base lot value for lots in subject area with V-0 classifications was set at \$225,000.

In rebuttal, the Petitioner stated that other properties on County Club Drive do not have the drainage problems of his parcel. He said that the melting snow from the County snow storage floods his driveway every year.

The Chairman closed the public hearing.

Member Allison stated even with the problems brought forward she would not be able to support any kind of a reduction for the property because the taxable value is well below the market value.

Based on the FINDINGS that adverse factors (drainage problems) were not given enough weight by the Assessor, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried with Member Allison voting "no," it was ordered that the taxable value of land on Assessor's Parcel No. 131-225-20 be reduced to \$213,750 and the taxable value of the improvements be upheld for a total taxable value of \$362,976. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-227E HEARING NO. LT-557 – WAYNE P. & SALLY K. FISCHER, TR.
PARCEL NO. 131-234-07

A petition for Review of Assessed Valuation received from Wayne P. and Sally K. Fischer, Tr., protesting the taxable valuation on land and improvements located at 383 2nd Tee Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated vacant single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5a, and oriented the Board as to the location of subject property.

Wayne P. Fischer, the Petitioner, was sworn, and submitted a letter and photographs, Exhibit A. Chairman Fox questioned the Petitioner concerning when he purchased subject property and how much he paid because the petition stated that information was "unknown". Petitioner Fischer said that he purchased the subject parcel in 2000 for \$330,000. He testified that his view classification was incorrect and requested it be corrected from a V-2 to a V-1, pointing out photographs to support his case. He stated the detriments to the lot were traffic noise, large trees that cannot be removed per the Tahoe Regional Planning Agency, and the slope of the lot.

Member Allison informed the Petitioner that he could contact the Assessor to arrange for a verification of the view classification.

Member Sparks inquired where a home would be built on the lot. Petitioner Fischer explained his ideas and stated it would be difficult to build due to the slope and the trees on the lot. He said, at this point, coverage was not a problem.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIII. He explained how view classifications are done by the Assessor taking photographs from designated areas of a residence, such as the living room, dining room, and kitchen. He said in the case of a vacant lot, the Assessor would stand in the middle of the lot and assess from that area. He stated there were areas on the parcel where the lake could be seen and once a residence was built on the lot, the view would probably get better. He reviewed the base lot values of view lots classified as V-0, V-1 and V-2.

In rebuttal, the Petitioner stated that the photograph taken by the Assessor was on the lot line. He said it would be impossible to build a home there.

The Chairman closed the hearing.

Member Schmidt stated it was inappropriate to go to a corner of a lot to take a photograph. He said there should be a policy in the Assessor's office requiring photographs be taken from the center of the parcel.

Member Schmidt made a motion to reduce the taxable value by reducing the view classification from a V-2 to a V-1, which would make the taxable value of the land \$275,000. The motion died for lack of a second.

Chairman Fox noted the sale of the subject was a 1031 exchange, which is a tax advantage exchange of property, which is not a typical sale.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Members Obester and Schmidt voting "no," it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 131-234-07 be upheld.

10:50 a.m. The Board took a 10-minute recess.

04-228E **HEARING NO. LT-259 - DAVID SCHMENK, TR., ET AL**
PARCEL NO. 126-251-01

A petition for Review of Assessed Valuation received from David Schmenk, Tr., et al, protesting the taxable valuation on land and improvements located at 725 Christina Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner had signed in, but was not present when his hearing was called.

Member Schmidt moved to continue this hearing until the next two hearings have been heard to give the Petitioner time to return to the room. The motion was seconded and passed by a unanimous vote of the Board.

Later in the meeting, the Board returned to this hearing. The Petitioner was still not present.

Appraiser Lopez stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 126-251-01 be upheld.

**04-229E HEARING NO. LT-548 – KIYOTO & JEANETTE ARAKAWA, TR.
PARCEL NO. 131-225-06**

A petition for Review of Assessed Valuation received from Kiyoto and Jeannette Arakawa, Tr., protesting the taxable valuation on land and improvements located at 455 Driver Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Kiyoto Arakawa, the Petitioner, was sworn, and submitted a photograph, Exhibit A. In response to questioning by Chairman Fox concerning the absence of information on the petition, Mr. Arakawa said that he bought the property in 1998 for \$370,000. He stated he did not know the market value of the subject parcel. He testified that the view rating for his parcel was incorrect and presented a photograph of the view from his living room. The Petitioner further stated the increase in his taxable value should be around 34 percent to be similar with nearby parcels, and his value has increased much more than that.

Legal Counsel, Leslie Admirand, stated there are no statutory limits to the percent of increase or decrease per year for properties. Chairman Fox added that the values are market driven.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIII. Appraiser Lopez said he would be scheduling an appointment with the Petitioner to verify the view classification.

In response to Member Obester, Appraiser Lopez explained that he did not use the comparable sales presented by the Petitioner to arrive at the valuation for the subject parcel, but he used the comparables listed in Exhibit III. He said the base lot value on the East Slope for a V-3 is \$450,000 and a V-2 is \$350,000.

Member Schmidt inquired about the method to determine which comparable sales are used, and Appraiser Lopez explained the Assessor looks for the most comparable properties that are similar in square footage, age, view and in the same neighborhood.

In rebuttal, the Petitioner stated he would be willing to make an appointment with the Assessor to have his view classification checked.

The Chairman closed the hearing.

Chairman Fox noted that a 34 percent increase from the Petitioner's purchase price would raise the taxable value to \$495,000, which would be higher than the taxable value set by the Assessor.

Based on the FINDINGS that there was an error in the appraisal (view classification), on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 131-225-06 be reduced to \$350,000 and the taxable value of the improvements be upheld, for a total taxable value of \$492,541. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-230E HEARING NO. LT-551 – JOE AND BETTY SILLA, TR.
PARCEL NO. 131-227-03

A petition for Review of Assessed Valuation received from Joe and Betty Silla, protesting the taxable valuation on land and improvements located at 436 2nd Tee Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. Appraiser Lopez stated he had a recommendation for the subject parcel, which he had discussed with the Petitioner, because the subject's land value had not received the 15 percent downward adjustment warranted for the smaller size of the lot. He reviewed the recommendation and new land value. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Petitioner was not present.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal (lot size adjustment) as recommended by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 131-227-03 be reduced to \$382,500 and the taxable value of the improvements be upheld, for a total taxable value of \$485,999. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-231E HEARING NO. LT-713 – RICHARD A. & PAMELA D. SKEIE
PARCEL NO. 126-251-11

A petition for Review of Assessed Valuation received from Richard A. and Pamela D. Skeie, protesting the taxable valuation on land and improvements located at 785 Christina Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. In response to Member Obester, Appraiser Lopez outlined the Eastern Slope boundaries.

Richard A. Skeie, the Petitioner, was sworn, submitted a letter and photographs, Exhibit A, and testified that the view rating was incorrect, as year after year the trees have grown up and the view has decreased. He said that in the last three fiscal years the taxable value of the property has increased 84.6 percent, contrasting this to the single-family residence increase of 14.8 percent. Petitioner Skeie also questioned the validity of the comparable sales.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. He said there was a downward adjustment given to the subject parcel due to the small size of the lot. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

Member Schmidt inquired about a sale that was close to the subject property that was not used as a comparable. In response, Appraiser Lopez said the Assessor looks for comparables that would eliminate the need to adjust the valuation one way or the other due to size, quality and view. He said the base lot value for a V-5 is \$700,000 and a V-4 is \$600,000.

In rebuttal, the Petitioner stated he would let the photographs speak for themselves and said his parcel should not be rated at V-4.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 126-251-11 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-232E HEARING NO. LT-945 – STUART COOK, ET AL
PARCEL NO. 126-251-14

A petition for Review of Assessed Valuation received from Stuart Cook, et al, protesting the taxable valuation on land and improvements located at 695 Christina Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Stuart Cook, the Petitioner, was sworn, submitted a letter, photographs and appraisals, Exhibit A, and testified that the gross living square footage is incorrect, stating it should be 4,249 rather than 4,509, which has been verified by two independent appraisals completed in 2002. He said improvements are valued at \$90.25 per foot, which means the building is overvalued by \$23,465 or 9.5 percent and he has been paying too much tax since he purchased the property in 1994. Chairman Fox advised the Board is only considering the current tax year, 2004/05. Petitioner Cook further testified that he believes his view rating is incorrect because tree growth in the past ten years has blocked most of his view of Lake Tahoe. He showed photographs of his view to the Board members.

Chairman Fox informed the Petitioner that he could set an appointment with the Assessor to verify the view and the square footage of the home.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XIII. He said he would verify the square footage and the view if desired by the Petitioner. Appraiser Lopez stated he does have a real estate listing from December 2002 for the subject advertising a "lake view" and showing the square footage as 4,500.

In rebuttal, the Petitioner clarified that the listing has expired and the view was described as "filtered." Member Sparks reviewed the appraisals with the Petitioner, and pointed out that the land values were very close to the numbers presented by the Assessor. The Petitioner agreed with the numbers, but not the conclusions.

The Chairman closed the hearing.

Member Obester stated he sees quite a variation in the square foot taxable values on Christina Drive and asked that the Assessor take another look at those.

Based on the FINDINGS that there was an error in the appraisal (square footage of improvements), on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 126-251-14 be upheld; and the improvements be reduced to \$289,665 for a total taxable value of \$799,665. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-233E HEARING NO. LT-1119 – JOSEPH J. AND CAROL E. TATMAN
PARCEL NO. 131-224-08

A petition for Review of Assessed Valuation received from Joseph J. and Carol E. Tatman, protesting the taxable valuation on land and improvements located at 485 Eagle Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5a, and oriented the Board as to the location of subject property.

Joseph J. Tatman, Petitioner, was sworn, submitted and read a letter, Exhibit A, and testified that the taxable value of the home was too high in comparison to other homes in the surrounding area, due to the fact that his home was the first one built on the street. The Petitioner further stated that he cannot use his driveway in the winter because of the location of the house on the parcel, and his view classification was incorrect. He explained that the adjacent lots on both sides are deemed unbuildable due to the natural run off of the spring thaws. He said the property has been listed for \$1,550,000. He requested a re-evaluation of his property, an adjustment of his tax obligation for the next assessment year as well as the current year, and a refund for any excessive taxes he has paid.

Chairman Fox inquired of the Petitioner if he was aware that the taxable value was roughly 50 percent of what the property was listed for and the Petitioner acknowledged this to be true. The Petitioner stated the surrounding areas and adverse factors make the property not worth that amount.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XIII. He said he would verify the view and quality of the residence if the Petitioner desired.

Member Obester inquired if properties are ever given a discount for deferred maintenance, and Appraiser Lopez said only on a case-by-case basis.

In rebuttal, the Petitioner requested the view classification be reduced due to the trees and power lines. He said the home was in dire need of repair.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-224-08 be upheld.

12:30 p.m. The Board recessed for lunch.

1:30 p.m. The Board reconvened with all Members present except Member Obester.

04-234 **HEARING NO. LT-989 – BRENT C. AND VIKI L. WELLING - PARCEL NO. 131-211-08**

A petition for Review of Assessed Valuation received from Brent C. and Viki L. Welling, protesting the taxable valuation on land and improvements located at 561 Fairview Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Brent Welling, the Petitioner, was sworn, submitted a letter, Exhibit A, and testified that the Assessor's selection of comparable sales to justify a property's appraisal was arbitrary, and the Assessor did not consider the complete set of sales data in determine land values. He reviewed the comparable sales listed in his letter and stated his dissatisfaction with the Assessor's procedures. Petitioner Welling said he takes exception with the way improvement values are added to the land values on teardowns. He said the Assessor did verify and adjust the view classification, but he believes the classification should be lowered even more. He requested the Board direct the Assessor to discontinue the practice of treating the sale of a parcel as a "vacant land" sale if there was a building, structure or improvement on the parcel.

In response to Chairman Fox, the Petitioner stated he purchased the subject property in 2000 for the amount of \$3,375,000. He had no opinion of his market value.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XIII. He said the view was verified and adjusted to a V-5, resulting in a base lot value of \$700,000. He discussed the comparable sales the Petitioner presented and explained why some comparables were selected and others were not.

In rebuttal, the Petitioner disputed the comparable sales discussed and was not in agreement with the presentation on the comparables.

The Chairman closed the hearing.

Chairman Fox stated that a sale of the subject speaks very loudly. He compared the Assessor's total taxable value of \$1,372,743 to the sale of the property in 2000 for \$3,375,000 and said that was all the information he needed for his decision.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-211-08 be upheld.

04-235E HEARING NO. LT-1032 – JAMES R. AND DEENA G. BEHNKE
PARCEL NO. 131-223-06

A petition for Review of Assessed Valuation received from James R. and Deena G. Behnke, protesting the taxable valuation on land and improvements located at

491 Alpine View, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

James R. Behnke, Petitioner, was sworn, and testified that his property was purchased in 2003 for \$1,475,000. He said the property had been uninhabited for several years and had extensive water damage. The Petitioner pointed out errors on the Assessor's Exhibit III regarding when the damage occurred and explained that no repairs were completed. He questioned the quality class value set by the Assessor and the increase in the taxable land value. He stated the view classifications are subjective and arbitrary and in the real world the value of the view is inherently built into the actual sales price and market values of the homes in the area. He acknowledged that in 2003 the purchase price of the home was lower than the purchase price in 2001. He requested a \$200,000 reduction in the land value based on these sales.

In response to Chairman Fox, the Petitioner stated the majority of the purchase price would represent the land value. He confirmed that he was aware of the water damage when he purchased the property.

Member Sparks pointed out the decreases in the taxable value of the building from 2002 to 2004, as displayed in Exhibit III.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XIII. He noted a downward adjustment was made to the improvement value due to the water damage. He said the Assessor was not made aware of the water damage and learned of the damage by pulling the flyer on the sale in 2001. He stated the Assessor's total taxable value was well below the purchase price in 2003.

In response to Member Schmidt, Appraiser Lopez stated that it would be inappropriate to adjust the quality class due to the water damage. He said those are different issues.

In rebuttal, the Petitioner clarified that the flood occurred in 1998 and the first time it was recognized in the building taxable value was 2003. He said virtually everything in the home was damaged and extensive remodeling would be needed.

Chairman Fox explained that the Assessor was not made aware of the problem until 2003 and the property owner would be responsible to contact the Assessor.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-223-06 be upheld.

04-236E HEARING NO. LT-798 – JACK L. AND LINDANN G. FLEIG, TR.
PARCEL NO. 131-211-19

A petition for Review of Assessed Valuation received from Jack L. and Lindann G. Fleig, protesting the taxable valuation on land and improvements located at 535 Fairview Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4A, and oriented the Board as to the location of subject property.

Jack L. Fleig, the Petitioner, was sworn, and submitted photographs, Exhibit A, and testified that his view rating was incorrect. He said he does not have an unobstructed view of Lake Tahoe.

Chairman Fox informed the Petitioner of the process he would need to follow to have the view classification verified, and the Petitioner said he understood.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XIII. He said he would verify the view with the Petitioner.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-211-19 be upheld.

04-237E HEARING NO. LT-660B – ALPINE VIEW LLC
PARCEL NO. 131-212-04

A petition for Review of Assessed Valuation received from Alpine View LLC, protesting the taxable valuation on land and improvements located at 551 Alpine

View, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4a, and oriented the Board as to the location of subject property.

Christine Van Dyke, the Petitioner, was sworn. Member Schmidt disclosed that he knew the Petitioner, but stated he would participate in the hearing because he felt he could be objective. The Petitioner agreed to his participation.

The Petitioner testified that she was appealing based on the view classification and the land and structural values of the property. She said the view was set at a V-6, which suggested an unobstructed view, but trees obstruct the view. She stated she was aware of the process to contact the Assessor so the view could be verified. She explained that the land value has limited potential for development because it was under the Bailey classification system as a class three, which would be equal to five percent coverage. The Petitioner stated the Tahoe Regional Planning Agency does not allow those under the Bailey system to be converted into the IPES system. She further stated under the IPES system additional buildable coverage could be purchased to expand the size of a structure or build a garage. In terms of the structure, she advised that there have been no improvements since 1972, it has less than 1,700 square feet and has no garage. She verified that the lot measures less than half an acre and said two of the comparable sales used were over one acre.

In response to Chairman Fox, she stated her opinion of market value for the land and structure was \$800,000 to \$850,000.

Member Allison inquired if anyone was living in the structure, and the Petitioner confirmed it was inhabited and maintained as a rental.

In response to Members Fox and Schmidt, she said she was familiar with the comparables used by the Assessor. She explained that she was knowledgeable of the Bailey system because of her background as a realtor in Incline Village.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XIII. He said he would verify the view classification with the Petitioner. He explained that the IPES system came into effect in 1987, and the Bailey score began in 1970. He did not have information regarding the impact to homes under the Bailey score.

Member Sparks inquired about the building value and the quality class assigned, and Appraiser Lopez responded that no one had been inside the home to verify the quality class. He confirmed the quality class could be verified upon inspection.

In rebuttal, the Petitioner pointed out the detriment of her parcel being under the Bailey system.

The Chairman closed the hearing.

Member Schmidt stated the Bailey system should be taken into consideration for the subject property, and he said he would abstain from voting unless his vote was needed to carry the motion.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent and Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-212-04 be upheld.

2:30 p.m. Member Obester returned to the meeting.

04-238E **HEARING NO. LT-547 – CHARLES L. RUTHE, TR.**
PARCEL NO. 131-221-05

A petition for Review of Assessed Valuation received from Charles L. Ruthe, Tr., protesting the taxable valuation on land and improvements located at 455 Fairview Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Charles Ruthe, the Petitioner, was sworn, submitted a home appraisal, Exhibit A. Member Allison disclosed that she knew the Petitioner, but felt she could be objective in hearing the case. The Petitioner said he would allow her participation.

Petitioner Ruthe testified that he objected to the view classification stating he has numerous trees blocking his view. He objected to his taxes being raised 100 percent. He said he paid \$1,900,000 for the subject property and it was appraised in 2003 for that amount. He was not in agreement with the comparable sales outlined by the Assessor. He stated the Incline Village high-end homes are not selling. He also voiced his frustration with the system of these hearings, having to wait for hours to be heard, and his belief that the Board would offer him no help with his case.

The Petitioner left the hearing.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XIII. He said he

would be calling the Petitioner to set up the appointment for the view verification because the Petitioner had left the room.

The Chairman closed the hearing.

Member Sparks acknowledged the appraisal presented by the Petitioner as an insurance appraisal, examining what it would cost to rebuild the home. He said the appraisal price stated by the Petitioner did not include the land value, and no depreciation was included against the parcel. He asked the Assessor to verify the square footage. He explained the appraisal was not for market value, but for replacement costs.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvement on Assessor's Parcel No. 131-221-05 be upheld.

04-239E HEARING NO. LT-1023 – ROGER L. HARAN
PARCEL NO. 128-361-10

A petition for Review of Assessed Valuation received from Roger L. Haran, protesting the taxable valuation on land and improvements located at 787 Trent Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 041-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called. The Petitioner submitted a letter and comparable sales, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated the Assessor would stand on their written record and Exhibits I, II, III and VII. In response to Member Sparks, he reviewed the Petitioner's comparable sales and answered questions.

Member Schmidt inquired if the Petitioner had the capacity to purchase additional coverage, and Appraiser Lopez confirmed that he did not know, but the parcel would be valued for its use.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded

by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Parcel No. 128-361-10 be upheld.

04-240E HEARING NO. LT-1086 – DANIEL B. AND DOLORES J. HOLETS, TR. - PARCEL NO. 131-261-26

A petition for Review of Assessed Valuation received from Daniel B. and Dolores J. Holets, Tr., protesting the taxable valuation on land and improvements located at 998 4th Green Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-MDS and designated 020-single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before his hearing was called. He submitted a letter, Exhibit A, which the Clerk read into the record and the Board reviewed and discussed.

Appraiser Lopez said an adjustment had been made to subject's land value for the traffic impact. He stated the Assessor would stand on their written record and Exhibits I, II, III and IX.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 131-261-26 be upheld.

04-241E HEARING NO. LT-1010 – JACK N., III AND NANCY J. TEDFORD PARCEL NO. 131-250-09

A petition for Review of Assessed Valuation received from Jack N., III, and Nancy J. Tedford protesting the taxable valuation on land and improvements located at 999 Fairway Blvd, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-MDS and designated 020-single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called. He submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez stated the Assessor would stand on their written record and Exhibits I, II, III and IX.

Member Allison noted that the Assessor's total taxable value was less than the price of purchase in 1996.

Member Sparks inquired about the square footage, the number of bedrooms and bathrooms, and Appraiser Lopez gave the information he had regarding these items.

In response to Member Schmidt, Appraiser Lopez confirmed the base lot value for the parcel and the areas that share the same value.

The Chairman closed the hearing.

Chairman Fox stated that the owner's opinion of value has relevance because the land is to be at market value.

Member Allison said the Assessor should verify the number of bedrooms, bathrooms and the square footage for correction purposes. She stated the Board was only dealing with the 2004/05 assessment period and no refund of taxes could be authorized.

Member Schmidt had questions about the base lot values in the area of the subject parcel, and Chairman Fox explained that golf course frontage affects the values.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 131-250-09 be upheld.

04-242E HEARING NO. LT-1161 –GEORGE AND SEIKO J. SUZUKI
PARCEL NO. 131-250-29

A petition for Review of Assessed Valuation received from George and Seiko J. Suzuki, protesting the taxable valuation on land and improvements located at 996 Wedge Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

George Suzuki, the Petitioner, was sworn, submitted a letter, Exhibit A, and testified that the subject property has no view of the golf course, and a drainage

easement cuts across a corner of the lot restricting the use of the property. He discussed comparable sales in the area and said his base lot value was too high and unfair. He requested his valuation be reduced.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and IX.

In response to Chairman Fox, Appraiser Lopez explained the location of the comparable sales presented by Petitioner, and said the comparables were inferior to the subject parcel due to location and the slope of the lots.

Member Schmidt and Appraiser Lopez discussed the comparables, how the values were determined and how views were established.

In rebuttal, the Petitioner disputed the comparable sales presented by the Assessor. He said there was no way he could see the golf course, and the main comparable addressed by the Assessor did have a view of the golf course. He reiterated that the drainage easement needs to be addressed.

The Chairman closed the hearing.

Chairman Fox commented the Petitioner made arguments confirming his parcel could be out of equalization. The property has unique situations that could warrant an adjustment.

Based on the FINDINGS that adverse factors (drainage easement) were not considered by the Assessor, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 131-250-29 be reduced to \$225,000; and the taxable value of the improvements be upheld for a total taxable value of \$336,012. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-243E HEARING NO. LT-1174 – JON S. AND NANCY E. THOMAS
PARCEL NO. 131-261-06

A petition for Review of Assessed Valuation received from Jon S. and Nancy E. Thomas, protesting the taxable valuation on land and improvements located at 987 Wedge Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Nancy E. Thomas, the Petitioner, was sworn, submitted a letter, Exhibit A, and testified that there were a number of errors on the appraisal, such as the square footage, the number of bathrooms, and the type of heating; and she requested these items be corrected. She stated the value of the home has gone up tremendously; two remodels have been completed on the house, updating the kitchen and master bedroom; but they have no view of the golf course, no access to the golf course and traffic noise affects the subject property. She did not agree with the comparable sales used by the Assessor.

Appraiser Rigo Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and IX. Appraiser Lopez confirmed he would complete an on-site inspection to correct the errors on the appraisal because it could make a difference on the valuation. He said that he has pulled real estate flyers that advertised the lots in the area of the subject parcel as being in close proximity to the golf course and in a quiet area. He clarified the definition of golf course influence as a parcel in the neighborhood of the championship golf course.

Member Schmidt inquired if lots on the east side of Country Club Drive were advertised to be in close proximity to the golf course, and Appraiser Lopez stated he had not received any flyers to verify that. He also confirmed that sales on the east side of Country Club Drive were significantly less than those on the west of Country Club Drive.

In rebuttal, the Petitioner stated her confusion about the comparables, the base lot values, and the taxable value of her lot. She said her home was a modest, one-story house and it is one of the highest appraised of the non-golf course frontage houses. She acknowledged she would allow the Assessor to re-evaluate the subject property.

The Chairman closed the hearing.

Chairman Fox said that the subject property has a buffer to cut back on the traffic impact, but he questioned the golf course influence.

Member Schmidt moved to decrease the taxable value of the land from \$400,000 to \$250,000 based upon the application of equalization and uphold the Assessor's value on the improvements. There was no second to the motion and the motion died.

Based on the FINDINGS that adverse factors were not considered by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 131-261-06 be reduced to \$300,000 and the taxable value of the improvements be upheld, for a total taxable value of \$610,566. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**HEARING NO. LT-363 – CARLO S. AND PATRICIA L. VIOLA,
TR. - PARCEL NO. 129-022-08**

A petition for Review of Assessed Valuation received from Carlo S. and Patricia L. Viola, Tr., protesting the taxable valuation on land and improvements located at 711 Hogan Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 041-LDU and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He also presented Exhibit XV, Assessor's Harold, Tomahawk and Robin Drive Areas Vacant Land Sales

Carlo S. Viola, the Petitioner, was sworn, submitted a map of the area of his parcel and a photograph, Exhibit A, and testified that the Assessor had used vacant lots to determine the value of their parcel and found only one to be comparable. He stated his agreement with the improvement value, and that he was protesting the land value. He said the subject property has noise impact from the Mount Rose Highway, and there have been problems with water penetration into the foundation of the home. The Petitioner reviewed his map showing the land values of the neighboring properties and requested equal taxation with his neighbors. He responded to questions from the Board regarding the parcels presented on the map. His lot was not rated multi-tenant as others in the area.

Chairman Fox asked Appraiser Lopez for the taxable value of the parcels presented by the Petitioner, and the Appraiser provided the information.

Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XV.

In response to Chairman Fox, Appraiser Lopez confirmed there was a mixture of single-family residences and multi-tenant properties. The multi-family uses were valued per unit, and the single-family residences were valued per site. He said no valuation per square foot was done. He acknowledged the method as appropriate for the area.

Appraiser Lopez identified the parcel on the map for Member Schmidt.

In rebuttal, the Petitioner stated there were only two single-family houses on the street and the rest of the parcels were multi-tenant units.

The Chairman closed the hearing.

Chairman Fox stated he understood the impact multi-tenant properties would have on a single-family residence. He was concerned with equalization between the subject parcel and parcel 10, as displayed on the Petitioner's map.

Member Sparks stated the mixed uses between multi-family and single-family residences and the noise impact due to the location of the subject property near Mount Rose Highway should be considered as adverse factors.

Based on the FINDINGS that adverse factors were not considered by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 129-022-08 be reduced to \$170,000 and the taxable value of the improvements be upheld, for a total taxable value of \$416,567. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-245E HEARING NO. LT. 865 – SALVADORE J. AND JACQUELYN J. VIVIANO, TR., PARCEL NO. 131-227-01

A petition for Review of Assessed Valuation received from Salvadore J. and Jacquelyn J. Viviano, Tr., protesting the taxable valuation on land and improvements located at 435 Mountain Lake Court, Washoe County, Incline Village, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed

Appraiser Lopez said he would be contacting the Petitioner to clarify items identified in the letter, such as quality class and the impact of a stream environment zone. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

In response to Member Sparks, Appraiser Lopez confirmed that the subject property was classified as a V-0.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-277-01 be upheld.

04-246E HEARING NO. LT-556 – DAVID R. AND SUZANNE M. ETHERIDGE - PARCEL NO. 131-234-04

A petition for Review of Assessed Valuation received from David R. and Suzanne M. Etheridge, protesting the taxable valuation on land and improvements located at 361 2nd Tee Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez said he was in the process of scheduling an appointment for an inspection with the Petitioner. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-234-04 be upheld.

04-247E HEARING NO. LT. 261 – DANIEL N. AND VIRGINIA P. SALERNO - PARCEL NO. 126-251-04

A petition for Review of Assessed Valuation received from Daniel N. and Virginia P. Salerno, protesting the taxable valuation on land and improvements located at 719 Christina Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter on February 5, 2004, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

In response to Member Schmidt, Appraiser Lopez explained that he was aware of an open building permit on the subject parcel. He would be returning to the parcel to close the permit and verify any remodel or improvements that have taken place. He said he would also examine the situation referred to in the letter about the property owners having to drain street water from the neighborhood on to their property.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 126-251-04 be upheld.

Member Schmidt stated he would not support the motion because the Assessor should have acted on the letter submitted by the Petitioner in a timelier manner.

04-248E HEARING NO. LT. 552 – DANIEL N. AND VIRGINIA P. SALERNO - PARCEL NO. 131-232-02

A petition for Review of Assessed Valuation received from Daniel N. and Virginia P. Salerno, protesting the taxable valuation on land and improvements located at 377 1st Green Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter and photographs, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez said he was in the process of scheduling an appointment with the Petitioner to verify the view classification and the square footage of the subject parcel. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 131-232-02 be upheld.

04-249E HEARING NO. LT. 458 – DENNIS S. ROY PARCEL NO. 131-233-19

A petition for Review of Assessed Valuation received from Dennis S. Roy, protesting the taxable valuation on land and improvements located at 379 Mountain Lake Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez explained his recommendation to reduce subject's land value by applying a 15 percent downward adjustment for the smaller lot size and to reduce the improvement value due to factual errors in the original calculation. He confirmed the Petitioner had accepted the recommendation. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 131-233-19 be reduced to \$382,500; and the taxable value of the improvements be reduced to \$211,600 for a total taxable value of \$594,100. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-250E HEARING NO. LT-262 – MAURICE W. AND SHERYL F. VER BRUGGE - PARCEL NO. 126-251-06

A petition for Review of Assessed Valuation received from Maurice W. and Sheryl F. Ver Brugge, protesting the taxable valuation on land and improvements located at 715 Christina Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez said he would be contacting the Petitioner to verify the view classification. He stated the Assessor would stand on their written record and Exhibits I, II, III, XIII.

In response to Member Sparks, Appraiser Lopez confirmed that an adjustment for size was made on subject parcel.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 126-251-06 be upheld.

04-251E HEARING NO. LT-1102 – RICHARD A. AND ELLEN E. DALEKE
PARCEL NO. 131-211-16

A petition for Review of Assessed Valuation received from Richard A. and Ellen E. Daleke, Tr., protesting the taxable valuation on land and improvements located at 511 Fairview Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez explained that he and Ron Sauer, Senior Appraiser, had inspected the residence in 2003 and he stands firm on the view rating. He said he would contact the Petitioner if they believed the view rating had changed. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

Member Schmidt commented that the Board abides by the law in regard to scheduling the hearings. He said the current law creates a hardship in the administrative process and he favors making adjustments to the state law as to make the process more efficient.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-211-16 be upheld.

04-252E HEARING NO. LT-545 – NORMAN W. AND M. JOAN REUTER
PARCEL NO. 131-213-03

A petition for Review of Assessed Valuation received from Norman W. and M. Joan Reuter, protesting the taxable valuation on land and improvements located at 555 Eagle Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez explained that in January of 2004 he and Ron Sauer, Senior Appraiser, completed an interior inspection of the subject property. He presented his recommendation to reduce the land value by adjusting the view classification from V-4 to V-3.5 and to reduce the improvement value by correcting the appraisal record concerning the year the home was completed. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 131-213-03 be reduced to \$525,000 and the taxable value of the improvements be reduced to \$196,710, for a total taxable value of \$721,710. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-253E HEARING NO. LT-799 – JEAN M. MARLEY, TR.
PARCEL NO. 131-223-03

A petition for Review of Assessed Valuation received from Jean M. Marley, Tr., protesting the taxable valuation on land and improvements located at 477 Alpine View Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4a, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-223-03 be upheld.

04-254E HEARING NO. LT-966 – LAWRENCE J. AND LINDA L. WODARSKI - PARCEL NO. 131-223-07

A petition for Review of Assessed Valuation received from Lawrence J. and Linda L. Wodarski, protesting the taxable valuation on land and improvements located at 505 Alpine View Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

In response to Member Obester, Member Sparks clarified that a complete remodel was done in 2002 to explain the purchase price being less than the taxable value of the subject parcel.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-223-07 be upheld.

04-255E HEARING NO. LT-800 – PETER AND MARILEE S. KOVACS, TR. PARCEL NO. 131-233-22

A petition for Review of Assessed Valuation received from Peter and Marilee S. Kovacs, Tr., protesting the taxable valuation on land and improvements located at 359 Wilderness Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez explained that in 2003 he and Ron Sauer, Senior Appraiser, completed an interior inspection of the home and confirmed the view classification as a V-4. He affirmed he was still in agreement with that classification. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-233-22 be upheld.

04-256E HEARING NO. LT-1074 – BYRON W. GEHRING
PARCEL NO. 126-251-16

A petition for Review of Assessed Valuation received from Byron W. Gehring, protesting the taxable valuation on land and improvements located at 687 Christina Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. He advised that he was recommending a reduction in the improvement value of subject based on an interior inspection resulting in a change in the quality class of the improvements. He confirmed the view classification as correct.

The Petitioner was not present but had submitted a letter, Exhibit A, stating that he was in agreement with the Assessor's recommended reduction.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member

Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 126-251-16 be upheld and that the improvements be reduced to \$323,854 for a total taxable value of \$918,854. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-257E HEARING NO. LT-901 – EDWARD J. BOLEKY, III, ET AL, TR.
PARCEL NO. 126-261-08

A petition for Review of Assessed Valuation received from Edward j. Boleky, III, et al, Tr., protesting the taxable valuation on land and improvements located at 715 Burgundy Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-LDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez explained that he would contact the Petitioner to set an appointment to verify the view. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

Member Schmidt stated he did not have enough information on teardowns, so he would be abstaining from the vote.

Based on the FINDINGS that the taxable value does not exceed full cash value, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 126-261-08 be upheld.

04-258E HEARING NO. LT-1101 – PATRICK & MARY GUARNERA
PARCEL NO. 128-243-09

A petition for Review of Assessed Valuation received from Patrick and Mary Guarnera, protesting the taxable valuation on land and improvements located at 715 Golfers Pass Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 041-HDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted two letters, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez advised he has been attempting to contact the Petitioner to discuss the concerns addressed in the letter. He stated the Assessor would stand on their written record and Exhibits I, II, III and VII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 128-243-09 be upheld.

04-259E HEARING NO. LT-782 – WARREN TONG, ET AL
PARCEL NO. 129-390-13

A petition for Review of Assessed Valuation received from Warren Tong, et al, protesting the taxable valuation on land and improvements located at 828 Golfers Pass Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 041-HDS and designated vacant single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present. The Board noted the letter sent to the Treasurer's Office regarding the Petitioner's payment under protest. Member Sparks confirmed it had no impact on the hearing.

Appraiser Lopez stated the Assessor would stand on their written record and Exhibits I, II, III and VIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 129-390-13 be upheld.

04-260E HEARING NO. LT-1029 – GEORGE H. AND SANDRA E. SAVY
PARCEL NO. 131-012-14

A petition for Review of Assessed Valuation received from George H. and Sandra E. Savy, Tr., protesting the taxable valuation on land and improvements located at 975 Cart Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which Chairman Fox read into the record and the Board reviewed and discussed.

Appraiser Lopez stated the Assessor would stand on their written record and Exhibits I, II, III and IX.

The Chairman closed the hearing.

Chairman Fox said the letter stated several allegations, but offered no evidence to support a change in the Assessor's taxable value.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-012-14 be upheld.

04-261E HEARING NO. LT-496 – IRWIN B. AND PAULA K. MILLER
PARCEL NO. 131-012-31

A petition for Review of Assessed Valuation received from Irwin B. and Paula K. Miller, protesting the taxable valuation on land and improvements located at 604 14th Green Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez introduced Assessor's Exhibit XIV, The Woods Vacant Land Sales. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIV.

Member Sparks noted that the Petitioner's letter said that their taxable value was at 68 percent of market value and their property was out of equalization because other properties in the area have a much lower value. Appraiser Lopez confirmed that the average ratio of taxable value to market value for properties in the Lake Tahoe area was at 70 percent.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-012-31 be upheld.

04-262E HEARING NO. LT-500 – HARRY AND THERESA GARSTANG
PARCEL NO. 131-013-14

A petition for Review of Assessed Valuation received from Harry and Theresa Garstang, Tr., protesting the taxable valuation on land and improvements located at 612 Village Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez stated the Assessor would stand on their written record and Exhibits I, II, III, XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-013-14 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-263E HEARING NO. LT-597 – JENNY L. COX
PARCEL NO. 132-211-13

A petition for Review of Assessed Valuation received from Jenny L. Cox, protesting the taxable valuation on land and improvements located at 828 Robin Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated 020-single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez stated the Assessor would stand on their written record and Exhibits I, II, III and VIII.

Member Schmidt inquired about the lake view, and Appraiser Lopez confirmed that the subject parcel was not a view lot.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-211-13 be upheld.

04-264E HEARING NO. LT-965 – ROBERT F. AND DOLORES M. NEJEDLY, TR. - PARCEL NO. 131-214-01

A petition for Review of Assessed Valuation received from Robert F. and Dolores M. Nejedly, Tr., protesting the taxable valuation on land and improvements located at 565 Driver Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Lopez explained that he and Ron Sauer, Senior Appraiser, verified the view of the subject parcel in November 2001 and confirmed the V-3 classification. He said he would contact the Petitioner to review the view classification. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

Member Schmidt inquired about the irregular lot, as noted in the letter, and Appraiser Lopez said he balanced the lot size with the irregular lot shape. He said it was considered, but it was not determined to be a detriment.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-214-01 be upheld.

04-265E HEARING NO. LT-302 – PHILLIP L. AND RANDI E. MOORE
PARCEL NO. 126-251-12

A petition for Review of Assessed Valuation received from Phillip L. and Randi E. Moore, protesting the taxable valuation on land and improvements located at 701 Christina Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Lopez advised that, based on an interior inspection of subject property on January 31, 2004, he is recommending lowering the view classification from V-4 to V-3, which would reduce the land value from \$510,000 to \$382,500. He said the Petitioner was in agreement with the recommendation. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 126-251-12 be reduced to \$382,500; and the taxable value of the improvements be upheld for a total taxable value of \$920,486. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-266E HEARING NO. LT-356 – BARBARA B. ANSEL, TR.
PARCEL NO. 128-241-06

A petition for Review of Assessed Valuation received from Barbara B. Ansel, Tr., protesting the taxable valuation on land and improvements located at 710 Golfers Pass Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 041-HDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Lopez explained that factual errors to the improvements were noted but inadvertently missed during the 2003/2004 reappraisal. He recommended reducing subject's improvement value from \$174,172 to \$145,826 to correct the errors. He confirmed the Petitioner was in agreement with the recommendation. He stated the Assessor would stand on their written record and Exhibits I, II, III and VII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and on recommendation of the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 128-241-06 be upheld and the taxable value of the improvements be reduced to \$145,826 for a total taxable value of \$445,826. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-267E HEARING NO. LT. 1218 A & B – RAYMOND L. AND SUSAN L. HENRICKSEN, TR. - PARCEL NOS. 131-121-38, 131-121-39

A petition for Review of Assessed Valuation received from Raymond L. and Susan L. Henricksen, Tr., protesting the taxable valuation on land and improvements located at 952 Fairway Park Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The properties are zoned 044-LDU and designated 012/vacant (LT-1218-A, 131-121-38) and 020/single-family residence (LT-1218-B, 131-121-39).

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Lopez explained his recommendation for Parcel No. 131-121-38, stating that in March of 2003 the property owner requested a boundary line adjustment that created two new parcels. The owner informed the Assessor that his plan was to demolish the existing residence and build a new residence on each of the parcels.

In May, 2003, it was determined that the improvements would be placed on Parcel No. 131-121-39, and each parcel was valued at the base lot value of \$250,000. The Appraiser stated that due to several issues with the Tahoe Regional Planning Agency, the owner has not been able to obtain a demolition permit for the residence; and until the residence is demolished, these parcels would continue to be used as one. Currently all of the improvement value is on Parcel No. 131-121-39 with a land value of \$250,000. He confirmed his recommendation was an 80 percent downward adjustment to Parcel No. 131-121-38 until the time the existing residence is demolished.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 131-121-38 be reduced to \$50,000 for a total taxable value of \$50,000. The Board also made findings that, with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 131-121-39 be upheld.

04-268E **HEARING NOS. LT-1205, -550, -435, -549, -553, -260, -967, -555, -991, -301, -982, -304, -554, -1120, -925, -961, -712, -711, -796, -544, -546, -567, -1215, -988, -1172, -564, -1260, -942, -1159, -790, -1173, -501, -1158, -369, -371, -986, -963, -598**

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located in Incline Village/Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The specific location, zoning and present use of each parcel was stated on the individual petition.

Chairman Fox stated there were no letters or recommendations for the remaining petitions and no one present to represent the Petitioners.

Based on the facts that the remaining petitions are identical, there are no more letters nor any petitioners present, and no additional information has been submitted, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the remaining petitions be consolidated.

The Clerk called each hearing and parcel number individually.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of

subject property. He stated the Assessor would stand on their written record and Exhibits I, II, III, VII, VIII, IX, XIII, XIV and XV, as applicable and noted on the individual petitions.

Chairman Fox asked again if there was anyone present to represent any of these Petitioners. There was no response.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-1205	Bryan D. Wallpe	131-228-05
LT-550	Thomas D. Tremblay	131-226-17
LT-435	Michael J. and Lisa P Schwieterman	131-213-11
LT-549	Carl J. and Marjorie W. Levie	131-225-14
LT-553	Russell T. and Sandra Bradford	131-232-03
LT-260	Philip J. and Janice E. Horan	126-251-02
LT-967	Janet J. O'Donnell	131-225-01
LT-555	Beverly S. Partridge	131-233-20
LT-991	Mathew and Marilyn Molitch	131-234-08
LT-301	John P. and Mary B. Helm	126-251-10
LT-982	Ann C. McCormick	126-262-07
LT-304	Gabriel, III, and Heather Tirado	126-263-08
LT-554	Robert D. and Nancy Polsky	131-233-08
LT-1120	Lothar L. and Stella M. Schweigert	131-233-23
LT-925	Marjorie L. Hooper	131-233-24
LT-961	Barry M. Kitt, Tr.	126-220-02
LT-712	Steven and Liqia Wachtel	126-241-02
LT-711	Thomas J. and Linda M. Smach	126-262-04
LT-796	Michael T. Johanns, Tr.	131-211-13
LT-544	Annemarie Rehberger, Tr.	131-211-21
LT-546	Joseph J. and Jean M. D'Andre, Tr.	131-221-01
LT-567	Raymond L. and Anna Anderson, Tr.	131-221-04
LT-1215	Frederick and Hildegard Albrecht, Tr.	128-132-05
LT-988	Donald W. and Flora M. Childs, Tr.	131-011-04
LT-1172	Brian J. and Elizabeth B. Bolton, Tr.	131-012-18
LT-564	Duane U. Deverill, Tr.	131-261-24
LT-1260	Charles F. Perrotta, et al	131-012-12
LT-942	Tony C. Carcione, Tr., et al	131-012-32
LT-1159	Richard R. Lantz	131-261-04
LT-790	Edward J. and Diana G. Flaherty	131-012-25

LT-1173	Vernon J. King, Jr.	131-012-49
LT-501	Leonard J. and Hedy L. Sturm, Tr.	131-013-19
LT-1158	Charles H. and Deanne L. Weinberger, Tr	131-013-20
LT-369	Wolfgang K. and Barbara A. Loeschner	129-280-17
LT-371	Mark R. and Terri L. Nielsen, Tr.	129-390-08
LT-986	Warren D. and Linda M. Williams, et al	129-390-12
LT-963	Jan and Kim A. Sluchak	130-082-27
LT-598	Michael B. and Debra Williams	132-211-17

PUBLIC COMMENTS

There was no response to the call for public comments.

* * * * *

6:00 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 10, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Lori Rowe, Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

TUESDAY

9:00 A.M

FEBRUARY 10, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member
Gary Schmidt, Member
Steven Sparks, Member

Nancy Parent, Chief Deputy Clerk
Peter Simeoni, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on February 9, 2004, in the Washoe County District Health Building, South Conference Room (Room B), 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the Petitioners:

Hearing No. LT-114, Jeff Wanamaker, Parcel No. 124-082-24
Hearing No. LT-119, James D. and Vivian L. Bunch, Parcel No. 124-085-14
Hearing No. LT-641, Steven W. Holmes, Parcel No. 124-084-03
Hearing No. LT-831, Frank Cates, Parcel No. 124-085-14
Hearing No. LT-1056, Byron and Jasna K. Gehring, Parcel No. 122-201-18

9:00 A.M. - BLOCK

Chairman Fox outlined the process for the hearings and the order of the day. He explained the role of the Board of Equalization and the Board's limited jurisdiction. He confirmed that the Board makes no decisions regarding taxes. He reviewed the functions of the State Board of Equalization for the people present at the hearing.

DISCUSSION AND ACTION – POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board would first consider the hearings where the Petitioner was present, then consider any petitions where a letter or additional

information was submitted, and then any remaining hearings that assert the same or similar reasons(s) for the appeal would be consolidated.

04-269E HEARING NO. LT-1054 – FRANK J. JR AND JANICE A. RACIOPPO - PARCEL NO. 122-201-17

A petition for Review of Assessed Valuation received from Frank Racioppo, protesting the taxable valuation on land and improvements located at 768 Lakeshore Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Frank J. Racioppo, Jr., the Petitioner, was sworn, and testified he is contesting the land value of his property only. He said his land was appraised based on teardown value, and he understood that his parcel was combined with eleven other properties on the non-lake front side of Lakeshore Boulevard. In a teardown situation a buyer would use certain criteria to purchase a teardown and he believed that lot size, the building footprint and proximity to Lake Tahoe for view or access would be critical factors to consider. Petitioner Racioppo stated his property would not be seen as a favorable teardown because the lot size and shape and the minimal coverage would not allow a mega-home to be built on the property, as well as the lack of view of the Lake from the subject parcel. He explained that in his area, it has been popular to tear down a home and build a mega-home in its place, but all of the comparable sales used were larger properties and some mega-homes were built on the lots. The Petitioner further stated that some of the houses three or four doors from the subject parcel have dead-on views of the Lake, while their property sits four homes deep from the Lake. He further explained that, where his property was located, it was the only place on Lakeshore Boulevard where the homes were positioned at a further distance from the Lake. He clarified that because of the unique location of the subject parcel, the size of the lot, the lack of view and the inability to build a mega-home on the property, the parcel should be considered part of the Lakeview subdivision and given a lower base lot value. He noted the Lakeview subdivision was located directly behind the subject parcel.

In response to Member Allison, the Petitioner stated his position was that his property did not belong with the eleven comparable properties used because of the location, unique size and nature of his lot. He said he believed his property belonged with the nine properties that were used for the Lakeview subdivision and his property should have their base lot land value of \$525,000. He stated his agreement with the building value given by the Assessor.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value, and he stated the Assessor would stand on their written record and Exhibits I, II, III, XVI and XVII.

In response to Member Obester, Appraiser Johnson explained the neighborhood boundaries used to develop the base lot value. He stated the base lot value was \$750,000.

Appraiser Johnson introduced Exhibit XVI, Assessor's Lakeshore Boulevard (non-lakefront) Vacant Land Sales.

In response to Member Allison, Appraiser Johnson confirmed that the homes facing Lakeshore Boulevard would be out of equalization if this one property were reduced to \$525,000.

Appraiser Johnson introduced Exhibit 17, Assessor's Lakeview Subdivision Vacant Land Sales.

In rebuttal, the Petitioner stated the size and location of the lot needs to be considered, as the comparables were larger and had lake views unlike the subject property.

The Chairman closed the hearing.

Member Allison stated if the subject property were singled out, the other properties in the area would be out of equalization with that property.

Member Schmidt said the subject property would not be out of equalization if it received an adjustment because of the uniqueness of the parcel being located three parcels and two streets from the lake.

Chairman Fox clarified that adverse factors to consider would be the three levels of other properties between the subject parcel and the lake that were not found on all of the properties on Lakeshore Boulevard. He said view would be a consideration for the parcel.

Based on the FINDINGS that adverse factors were not given enough weight by the Assessor, on motion by Member Schmidt, seconded by Member Fox, which motion duly carried with Member Allison voting "no," it was ordered that the taxable value of land on Assessor's Parcel No. 122-201-17 be reduced to \$637,500 and the taxable value of the improvements be upheld, for a total taxable value of \$793,942. The Board also made the findings that with this adjustment, the land and improvements area valued correctly and the total taxable value does not exceed full cash value.

04-270E HEARING NO. LT-55 – MELVIN C. AND DIANE R. VAIL, TR
PARCEL NO. 122-213-14

A petition for Review of Assessed Valuation received from Melvin C. and Diane R. Vail, Tr., protesting the taxable valuation on land and improvements located at

848 Lakeshore Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Melvin C. Vail, the Petitioner, was sworn, submitted a letter, Exhibit A, which the Board reviewed and discussed. He discussed the comparable sales and noted that there was no separation given for views or teardown status of the parcels. He said no differentiation was made between a bare land sale, a total teardown or a partial teardown. He questioned the time-adjusted sales prices and how they were determined. He confirmed that these factors improperly affected the value of the subject parcel. Petitioner Vail described his view of the lake as reasonable, with a two-story structure in front of the parcel and power lines on both sides of the street.

Chairman Fox explained to the Petitioner that the Board would be hearing only information concerning 2004/05. He said the Petitioner could not use values from the current year and apply them to past years.

Ron Sauer, Senior Appraiser, explained that Exhibit XVI included the eleven vacant lands sales utilized to value all the properties on the north side of Lakeshore Boulevard with Lakeshore Boulevard addresses. He used the Exhibit to show the Board the comparables used to conclude the value on the subject property.

Chairman Fox clarified that there was no reappraisal for Incline Village this year. He said Incline Village land values were subject to a factor for this year, and the factor amounted to no change.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and he stated the Assessor would stand on their written record and Exhibits I, II, III and XVI.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Chairman Fox stated the Board was hearing only this year's values, not values from previous years. He explained how the factors for land and improvements were determined; and he confirmed that once the factors were established, they were not disputed at this Board. The only issue before the Board would be when the factor was applied, did it cause the taxable value of the subject property to exceed full cash value. He further answered questions about time adjustments for the Board.

Member Sparks noted that if physical changes have taken place within the subject parcel the Board would hear those changes.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-213-14 be upheld.

04-271E HEARING NO. LT-918 – ALBERT J. KWASKY
PARCEL NO. 122-214-08

A petition for Review of Assessed Valuation received from Albert J. Kwasky, protesting the taxable valuation on land and improvements located at 889 Lakeshore Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated vacant single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Douglas Fox, an agent for the Petitioner, was sworn and testified that he questioned whether the Assessor had followed statutes and regulations in regard to the Petitioner's appraisal. He further stated they wanted to be sure they would have an opportunity to appeal to the State Board of Equalization.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and he stated the Assessor would stand on their written record and Exhibits I, II, III, XVI and XVII. He verified that he had followed all the rules and regulations to arrive at the values presented.

In response to Member Schmidt, Appraiser Johnson confirmed that the subject parcel was located on a corner, and no adjustment was made for traffic duress.

No rebuttal was presented.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-214-04 be upheld.

04-272E HEARING NO. LT-681 – KENNETH L. AND RITA J. MYERS
PARCEL NO. 124-031-18

A petition for Review of Assessed Valuation received from Kenneth L. and Rita J. Myers, protesting the taxable valuation on land and improvements located at

742 Kelly Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Kenneth L. Myers, the Petitioner, was sworn, and submitted a letter, Exhibit A, which the Board reviewed. He testified that he requested Exhibit III from the Assessor's office and was told it did not exist. He explained to the Board the process he used to arrive at a value for the property and how he turned that into taxable value and assessed value. He said his home was small, had no view, and he did not see where adjustments had been made for those facts. Petitioner Myers stated there were traffic impacts from Mt. Rose Highway and Tahoe Vista Boulevard. He did not see any errors on the Assessor's information regarding the home. He questioned the comparables and their view status.

Chairman Fox explained that the Board does not start with a former taxable value and adjust that for time. He said the time adjustment sales price was about adjusting the sales prices and not the taxable values. The sales are applied through an appraisal process to arrive at a taxable value. He also explained that there was no statutory limitation on the magnitude of changes in assessed value.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and he stated the Assessor would stand on their written record and Exhibits I, II, III and XIV.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Chairman Fox stated that in order for a Petitioner to prevail in these hearings they need to show that the taxable value exceeds the market value, there were errors in the data presented by the Assessor, and/or prove that the Assessor did not follow the law. He said the Petitioner did not show that taxable value exceeds the market value, the Petitioner confirmed there were no errors in the data from the Assessor and the Assessor testified that he followed the law in his assessment.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 124-031-18 be upheld.

**HEARING NO. LT-1039 – JOSEPH H. AND LYNNE M.
SIMONOSKI - PARCEL NO. 124-032-04**

A petition for Review of Assessed Valuation received from Joseph H. and Lynne M. Simonoski, protesting the taxable valuation on land and improvements located at 735 Kelly Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Joseph H. Simonoski, the Petitioner, was sworn and testified that he was contesting the land value because his lot was smaller than most of the properties surrounding his parcel. He questioned the accuracy of Exhibits III and XIV. He presented comparable sales suggesting his taxable value does exceed full cash value.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and he stated the Assessor would stand on their written record and Exhibits I, II, III and XIV.

In response to Member Sparks, Appraiser Johnson explained that the Assessor looks for the best comparables available, and pointed out that the subject parcel does not have a garage.

Member Obester requested an explanation for the Petitioner regarding the size adjustments, with the subject parcel being one of the smallest in the subdivision. Appraiser Johnson said that the valuations on land in the area were determined on a per site basis. He stated that the topography of a site would affect the value.

In rebuttal, the Petitioner stated that his lot was downwardly sloped and this limits the buildable area on the lot. He said this should be considered and his land value reduced.

The Chairman closed the hearing.

Member Schmidt moved to decrease the taxable value of the land by ten percent based upon comparable sales and uphold the Assessor's value on the improvements. There was no second to the motion and the motion died.

Based on the FINDINGS that the taxable value exceeds full cash value as evidenced by comparable sales presented by the Petitioner, on motion by Member Schmidt, seconded by Member Fox, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 124-032-04 be reduced to \$285,000 and the taxable value of the improvements be upheld for a total taxable value of \$343,801. The Board also made the findings that with this adjustment, the land and

improvements are valued correctly and the total taxable value does not exceed full cash value.

04-274E HEARING NO. LT-93 – CHRISTA BEHNKEN
PARCEL NO. 124-032-24

A petition for Review of Assessed Valuation received from Christa Behnken, protesting the taxable valuation on land and improvements located at 694 Gary Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Christa Behnken, the Petitioner, was sworn, and testified that she disagreed with the taxable value on her land due to the following factors: size of the lot and house, its proximity to Tahoe Boulevard and Preston Field, a children's playground near the home, the lot shape that would prevent expansion of the current building and a long driveway that adds no appeal because of the snow removal required. She said the noise from these factors, including the ballpark, traffic, parking and lights should warrant a reduction in the land value. She stated that none of the comparables given by the Assessor experience these factors because they are farther away from the noise sources. She requested a 20 percent reduction in the taxable value of the subject property.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and stated Assessor would stand on their written record and Exhibits I, II, III and XIV.

In response to Member Schmidt, Appraiser Johnson stated he did not see the ballpark as a detriment, but he had not studied the market to conclude if it has an adverse affect. He said 307 Winding Way was a good comparable for the location and land value.

In rebuttal, the Petitioner stated the comparables on Winding Way and Lynda Court, as listed on Exhibit III, were located a distance from the ballpark and not as close as the subject parcel.

The Chairman closed the hearing.

Chairman Fox explained that there would be properties in Incline Village that would come close to market value when the improvements do not have much value left and most of the value would rest in the land. He said the Assessor testified that, with the comparables listed, most of the value was in the land.

Based on the FINDINGS that adverse factors were not given enough weight by the Assessor, on motion by Member Sparks, seconded by Member Fox, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 124-032-24 be reduced to \$270,000 and the taxable value of the improvements be upheld for a total taxable value of \$327,002. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-275E HEARING NO. LT-1109 – JOHN P. AND JOANNE STEVENSON
PARCEL NO. 124-062-16

A petition for Review of Assessed Valuation received from John P. and Joanne Stevenson, protesting the taxable valuation on land and improvements located at 806 McCourry Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

John P. Stevenson, the Petitioner, was sworn, and submitted a letter, Exhibit A, a building permit, Exhibit B and traffic information, Exhibit C. He testified that there were errors on the Assessor's appraisal, including the date the swimming pool was added to the parcel and the sizes of the deck and gross living area. He presented the building permit to back up his claim. He said the swimming pool was built because he suffered a severe accident and it was used only for therapy reasons. He contested that the size of the pool was added to the size of the house because it should not be rated as bonus living space when it was only used for therapy. Petitioner Stevenson concluded that errors had been made in computing the taxable value, and the adverse factors of traffic, a steep driveway, an unsightly power pole and lines, and the exercise pool being unsafe for a family because of the danger to small children, had not been considered in determining taxable value. He further stated that recent sales in the area were less than the taxable value, the fair economic income expectancy of the property does not justify the valuation, taxable value was greater than full cash value, and the comparables used were incorrect and unfair. He further explained the subject parcel had no view, was not a lake front parcel, was not on a golf course, and the location was not on a good street. He requested the land value be reassessed to the 2002 taxable land value.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and he stated the Assessor would stand on their written record and Exhibits I, II, III and XIV. He confirmed the subject parcel does have a lap pool and the structure around it holds the same quality as the home. He discussed the errors brought up by the Petitioner, and confirmed the correct amounts. He explained that there was no premium on the subject parcel for a view, and he acknowledged he was unaware of the traffic impact. He said that employees from the Assessor's office had inspected the home.

A discussion ensued concerning whether the pool would qualify for an exemption if it was required for medical purposes. In response to Chairman Fox, Steve Churchfield, Chief Appraiser, advised that the only statute he found addressed an exemption for residential improvements made to remove barriers for persons with disabilities; and he did not believe the therapeutic pool would qualify.

Pete Simeoni, Legal Counsel, stated that, in reviewing the statute, any type of reduction would be warranted if there were changes to the structure itself to make it more accommodating, safe and accessible for a handicapped person.

In response to Mr. Simeoni, the Petitioner explained that the pool was used for therapeutic purposes; it was located outside the home and not connected to the bathroom.

In rebuttal, the Petitioner stated that the street was very noisy. He said he visited Woodridge Circle and stated the area was given relief for power lines and noise, and he felt this relief was also warranted for his parcel.

The Chairman closed the hearing.

Member Schmidt discussed the comparables listed and stated he supports Legal Counsel's advice regarding the pool.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 124-062-16 be upheld.

04-276E HEARING NO. LT-104 – KATHLEEN F. CONSTANTINE, TR.
PARCEL NO. 124-071-17

A petition for Review of Assessed Valuation received from Kathleen F. Constantine, Tr. protesting the taxable valuation on land and improvements located at 538 Jensen Circle, Incline, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Kathleen F. Constantine, the Petitioner, was sworn, and testified that the assessment of the subject property was unjust and inequitable. She stated the adverse factors relative to her property included the following: Incline High School and a ball field being located directly in her backyard, a football field located farther down the street which causes disturbances with noise and lights, the property was located on a

Stream Environment Zone (SEZ) and half of the property was unusable due to Cutler Creek. She further stated subject parcel was pie shaped, adjacent to a forest service lot that was never maintained and was used as an easement for people trespassing to get to the school grounds. She said because of the reasons given she would like her property reassessed.

In response to Member Allison, the Petitioner stated the high school was there when she purchased the property, but she did not expect the amount of noise and problems that have come about. She said she purchased the home in 1987 for \$120,000. Member Allison asked the Petitioner if she believed the creek to be an asset or a detriment at the time of the purchase, and the Petitioner did not give an answer to the inquiry.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and stated the Assessor would stand on their written record and Exhibits I, II, III and XIV. He said that the property received an upward adjustment for size and a downward adjustment for abutting the high school.

In response to Chairman Fox, Appraiser Johnson confirmed that properties are given a value in use when the land is improved, so no future expansion was considered for the subject parcel that might be impacted by an environmental zone.

In rebuttal, the Petitioner stated that some of the comparable sales used do not have the impact of the high school or the stream.

The Chairman closed the hearing.

Chairman Fox stated that the stream would be an advantage to the property rather than a disadvantage for the value in use.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 124-071-17 be upheld.

04-277E HEARING NO. LT-109 – EDWARD F. AND PATRICIA F. MALYSZ, TR. - PARCEL NO. 124-072-07

A petition for Review of Assessed Valuation received from Edward F. and Patricia F. Malysz, Tr., protesting the taxable valuation on land and improvements located at 507 Jensen Creek, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called. The Petitioner submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIV.

In reference to the letter, Chairman Fox inquired of the Assessor if there was any way to reschedule the hearing, and the Assessor confirmed there was no time to available to reschedule.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 124-072-07 be upheld.

04-278E HEARING NO. LT-1062 – PHYLLIS FARR, TR.
PARCEL NO. 124-081-13

A petition for Review of Assessed Valuation received from Phyllis Farr, Tr., protesting the taxable valuation on land and improvements located at 559 Lucille Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Johnson explained his recommendation to reduce the land value due to the traffic impact of Mt. Rose Highway, and he said the Petitioner was in agreement with the recommendation. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (traffic) were not given enough weight by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on

Assessor's Parcel No. 124-081-13 be reduced to \$270,000 and the taxable value of the improvements be upheld for a total taxable value of \$335,880. The Board also made findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**04-279E HEARING NO. LT-685 – STEFAN AND MURIEL J. CUMMINGS -
PARCEL NO. 124-081-14**

A petition for Review of Assessed Valuation received from Stefan and Muriel J. Cummings, protesting the taxable valuation on land and improvements located at 555 Lucille Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Stefan Cummings, the Petitioner, was sworn and testified that there was an error in the Assessor's information. He clarified that the home has three bedrooms, not four. He discussed the dramatic increases in the valuation of the land and the building for the subject parcel and questioned the comparable sales used to determine the value. He stated the parcel was greatly impacted by the traffic from Mt. Rose Highway and a drainage ditch that runs out of Mt. Rose Highway on to the property adjacent to the subject parcel and all the way across the back of his property. He said the drainage ditch and the steep slope render the land unusable. He disputed teardowns and using square footage house value in comparing sales prices and/or appraisal figures. He acknowledged the Assessor's recommendation and said it did not go far enough because of the drainage ditch.

Appraiser Johnson reviewed sales of comparable properties and he acknowledged that the traffic did impact the taxable value of the land and advised he was recommending a reduction in the land value in recognition of that impact. He said that he would make a physical inspection of the drainage ditch when the Petitioner contacts him and after the snow melts. He confirmed he would make the corrections regarding the number of bedrooms in the home. He stated the Assessor would stand on their written record and Exhibits I, II, III and XIV.

In rebuttal, the Petitioner stated that he was satisfied, as long as the Assessor would be considering both the traffic impact and the drainage ditch.

The Chairman closed the hearing.

Chairman Fox noted that the Petitioner objected to the unit of comparison using the square foot of living area. He said that was a very commonly used unit of comparison in appraisal work. Member Allison commented it was used as a guideline.

Based on the FINDINGS that adverse factors (traffic) were not given enough weight by the Assessor, and as recommended by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 124-081-14 be reduced to \$270,000 and the taxable value of the improvements be upheld for a total taxable value of \$328,849. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-280E HEARING NO. LT-1248 – CATHERINE S. COLVIN
PARCEL NO. 124-082-02

A petition for Review of Assessed Valuation received from Catherine S. Colvin, protesting the taxable valuation on land and improvements located at 554 Lucille Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Member Allison disclosed that she knew the Petitioner and would recuse herself from the hearing if the Petitioner requested. The Petitioner said she believed Member Allison would be fair and saw no reason for her to recuse herself.

Catherine S. Colvin, Petitioner, was sworn. In response to Chairman Fox, she explained that she was a real estate agent in Incline Village and her opinion of market value for the subject parcel would be approximately \$500,000. She testified that she was contesting the land value and reviewed the sales comparable to her parcel. She pointed out three of the comparables have a stunning view of the mountains and the lots receive more sun, as compared to her lot. She explained that her lot faces a cul-de-sac in the back and another cul-de-sac faces into her yard and this cuts down on the distance between her home and the houses in back of her, making them closer to her lot. Petitioner Colvin stated that her lot was smaller than the comparable sales and the amount of coverage available to purchase would be less due to the size of her lot. She noted the impact of traffic noise from Mt. Rose Highway. The Petitioner confirmed that she bought the house in 1977 for \$59,000 and the appraisal that was done conflicts with the Assessor's numbers in terms of the square footage. Chairman Fox asked the Petitioner if she had a copy of that appraisal with her, and she stated she did not. She said there were tree roots in the driveway and it would need to be replaced, plus a college campus and a bed-and-breakfast are located in close proximity to her home.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and he stated the Assessor would stand on their written record and Exhibits I, II, III and XIV.

In rebuttal, the Petitioner said the comparable land sales used by the Assessor are far superior to her lot and the value on her lot was lower than at least three of the five comparables.

The Chairman closed the hearing.

Member Allison encouraged the Petitioner to contact the Assessor's office to have them explain some of the procedures used to establish base lot values.

Member Schmidt stated the parcel was close to the corner, which could increase the traffic duress.

Member Sparks suggested the Petitioner contact the Assessor's office to correct any square footage errors on the records.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 124-082-02 be upheld.

04-281E HEARING NO. LT-686 – DAVID N. AND MICHELE J. KOCH
PARCEL NO. 124-082-07

A petition for Review of Assessed Valuation received from David N. and Michele J. Koch, protesting the taxable valuation on land and improvements located at 570 Lucille Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Joe Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 124-082-07 be upheld.

04-282E HEARING NO. LT-954 – DONALD L. AND MARCIA M. PIERCE
PARCEL NO. 124-082-19

A petition for Review of Assessed Valuation received from Donald L. and Marcia M. Pierce, protesting the taxable valuation on land and improvements located at 599 N. Dyer Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Member Schmidt stated that one base lot value for the entire circle where the subject parcel was located was inappropriate. He said different base lot values should have been assigned due to the different features of the parcels.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 124-082-19 be upheld.

04-283E HEARING NO. LT-880 – WILLIAM AND CYNTHIA GABRIELLI
PARCEL NO. 124-082-21

A petition for Review of Assessed Valuation received from William and Cynthia Gabrielli, protesting the taxable valuation on land and improvements located at 593 N. Dyer Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

William Gabrielli, the Petitioner, was present, but left before the hearing was called. He submitted a letter, Exhibit A, which the Clerk read into the record and the Board reviewed and discussed.

Chairman Fox stated that the hearing would not be continued, as there was no time available to reschedule any of the hearings.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XIV. He noted the subject's sales price in April, 2003 was \$940,000, and the total taxable value is \$567,987.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 124-082-21 be upheld.

04-284E HEARING NO. LT-688 – ROBERT M. LAWRENCE
PARCEL NO. 124-083-12

A petition for Review of Assessed Valuation received from Robert M. Lawrence, protesting the taxable valuation on land and improvements located at 891 S. Dyer Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

Robert Lawrence, the Petitioner, was sworn, and submitted a letter, Exhibit A. He testified that the value of his property was negatively impacted by traffic noise and privacy issues associated with Village Boulevard, the slope of his lot and the Tahoe Regional Planning Agency (TRPA) building regulations on the lot. He reviewed his letter, the chart of comparable land sales to his lot and gave details about each of these factors. He noted that the property backs up to a non-buildable Stream Environment Zone (SEZ).

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable value does not exceed market value, and he stated the Assessor would stand on their written record and Exhibits I, II, III and XIV.

In response to Members Sparks and Allison, Appraiser Johnson confirmed that it was common practice to use a time adjustment to bring all the sales up to a common date of valuation, and the Department of Taxation and State Board of Equalization approved the procedure.

In rebuttal, the Petitioner stated he interpreted the statute to say that prices should be based on what was actually paid, and not based upon a price updated to a certain date.

The Chairman closed the hearing.

Chairman Fox stated that the methodology used by the Assessor's office has been heard by this Board and the State Board of Equalization and reviewed by the Department of Taxation, and none of the entities have found the methodology to be in error. He said there is a court case questioning the methodology, but the ruling has not come forth.

Member Schmidt said that the authority to create a methodology does exist within statute. He complimented the Petitioner and his presentation to the Board and stated he would support adjustments to the land value due to the TRPA restrictions on the lot and the traffic and noise duress.

Member Schmidt moved to decrease the taxable value of the land by 15 percent based upon TRPA restrictions and the traffic and noise duress and uphold the Assessor's value on the improvements. There was no second to the motion and the motion died.

Member Obester moved to decrease the taxable value of the land by 10 percent based upon the traffic and noise duress and uphold the Assessor's value on the improvements. The motion was seconded by Member Schmidt. The motion failed with Members Obester and Schmidt voting "yes," and Members Allison, Fox and Sparks voting "no."

Based on the FINDINGS that adverse factors were not given enough weight by the Assessor, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, with Members Sparks and Allison voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 124-083-12 be reduced to \$285,000; and the taxable value of the improvements be upheld for a total taxable value of \$483,069. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**04-285E HEARING NO. LT-689 – FLOYD E. AND MARY L. MASON, TR.
PARCEL NO. 124-083-32**

A petition for Review of Assessed Valuation received from Floyd E. and Mary L. Mason, Tr., protesting the taxable valuation on land and improvements located at 885 S. Dyer Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

Floyd E. Mason, the Petitioner, was sworn, and submitted handouts, Exhibits A-E, and testified that his appeal was due to adverse features on the subject

property. He said years ago a careless contractor and building inspector allowed the house next door to build on their property. He explained the handouts to the Board to state his case. A survey was conducted when they planned to build a new entrance on the house, and the result of the survey was that the neighbor's home was directly on their property line and two-thirds of the neighbor's deck was on the subject property. He further explained the process they followed to clear up the situation and the outcome was adverse factors that affected the value of the land. He said the neighbor's came out with 18.8 percent more land than they did; there would be a cost to anyone who would buy the property to set the situation right; and, after inquiring of a surveyor, it was determined the detriment to the property would be approximately \$30,000 to \$50,000. He also noted that there would be great limitations to rebuilding on the lot because of the pitch in the middle of the boundary line.

Appraiser Johnson reviewed the square feet of the subject parcel, and he stated the Assessor would stand on their written record and Exhibits I, II, III and XIV. He said he made no adjustment for irregular shape of the lot.

In response to Member Sparks, Appraiser Johnson said that he had encountered similar situations, but he could not recall the procedure used to deal with the situations.

In rebuttal, the Petitioner clarified the slope of the lot was fifteen feet. He explained that the placement of the neighbor's deck was in their backyard, and he stated that they pay taxes on a good share of the property they do not get to use.

The Chairman closed the hearing.

Member Schmidt said he would support a 15 percent reduction for the shape of the lot and the position of the neighbor's house.

Based on the FINDINGS that adverse factors were not given enough weight by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 124-083-32 be reduced to \$270,000; and the taxable value of the improvements be upheld for a total taxable value of \$366,849. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

1:40 p.m. The Board recessed for lunch.

2:40 p.m. The Board reconvened with Members Fox, Allison and Schmidt present.

04-286E

HEARING NO. LT-1136 – WILLIAM A. AND RHONA M. GILLESPIE - PARCEL NO. 124-083-24

A petition for Review of Assessed Valuation received from William A. and Rhona M. Gillespie, protesting the taxable valuation on land and improvements located at 858 Donna, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated 020/single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called. He had submitted a letter, Exhibit A, stating he felt that his land was not equitably valued, which was reviewed by the Board.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Members Obester and Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-083-24 be upheld.

04-287E

HEARING NO. LT-631 – RAY AND BESS FARMER TR PARCEL NO. 122-193-27

A petition for Review of Assessed Valuation received from Bess and Ray Farmer, protesting the taxable valuation on land and improvements located at 678 Lakeshore Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVI.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Members Obester and Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-193-27 be upheld.

04-288E HEARING NO. LT-48 – WILLIAM L. AND MARY E. O'CONNELL, TR. - PARCEL NO. 122-193-29

A petition for Review of Assessed Valuation received from William L. and Mary E. O'Connell, protesting the taxable valuation on land and improvements located at 668 Lakeshore Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

1:50 p.m. Member Obester returned to the meeting.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The Petitioner requested a reduction based on power lines and plants that are obstructing their view, a steep driveway, and traffic and noise from Lakeshore Blvd.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVI.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-193-29 be upheld.

04-289E HEARING NO. LT-477 – PETER L. AND JEAN L. GERGEN TR
PARCEL NO. 122-213-18

A petition for Review of Assessed Valuation received from Peter L. Gergen, protesting the taxable valuation on land and improvements located at 824 Lakeshore Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was not present, but had submitted a letter, Exhibit A, in which he questioned taxable values and wanted his assessment to be the same as that in 2002/2003.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVI.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-213-18 be upheld.

04-290E HEARING NO. LT-387 – MARY Y. YOUNG, TR.
PARCEL NO. 130-170-14

A petition for Review of Assessed Valuation received from Mary Y. Young, Tr., protesting the taxable valuation on land and improvements located at 1028 Lakeshore Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 149-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board, and in which she had expressed concern regarding the traffic, commercial property adjacent to her property and odor from large garbage dumpsters.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVI.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-170-14 be upheld.

04-291E HEARING NO. LT-413 – MARK R. AND RHODA P. JAMES
PARCEL NO. 130-211-01

A petition for Review of Assessed Valuation received from Mark James, protesting the taxable valuation on land and improvements located at 1132 Lakeshore Dr, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was not present, but had submitted a letter, Exhibit A, questioning the appraisal methods of the Assessor, which was reviewed by the Board.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, XVI, XVII and XVIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Chairman Fox, which motion duly carried with Member Schmidt voting "no," and Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-211-01 be upheld.

04-292E HEARING NO. LT-1217 – CAROLDEAN L. ARNOLD
PARCEL NO. 130-211-02

A petition for Review of Assessed Valuation received from Caroldean Arnold, protesting the taxable valuation on land and improvements located at 1128 Lakeshore Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated upheld.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, XVI, XVII and XVIII.

Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried with Member Schmidt voting "no" and Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-211-02 be upheld.

04-293E HEARING NO. LT-417 – CURTIS AND NANCY MCLACHLAN
PARCEL NO. 130-212-02

A petition for Review of Assessed Valuation received from Curtis McLachlan, protesting the taxable valuation on land and improvements located at 1142 Lakeshore Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board, and which requested a reduction in their land value based on the amount of traffic noise they receive from Highway 28.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVI.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (traffic noise) were not given enough weight by the Assessor, on motion by Member Allison, seconded by Chairman Fox, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of the land on Assessor's Parcel No. 130-212-02 be reduced to

\$641,250 and that the taxable value of the improvements be upheld for a total taxable value of \$1,003,018. The Board also made the findings that with this adjustment the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-294E HEARING NO. LT-680 – ELSWORTH G. FINLAY, TR.
PARCEL NO. 124-031-16

A petition for Review of Assessed Valuation received from Elsworth Finlay, protesting the taxable valuation on land and improvements located at 401 Winding Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, with Member Sparks absent, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-031-16 be upheld.

04-295E HEARING NO. LT-853 – BARBARA M. LONGSHORE
PARCEL NO. 124-032-10

A petition for Review of Assessed Valuation received from Barbara M. Longshore, protesting the taxable valuation on land and improvements located at 389 Winding Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board, and which requested her assessment be based on values of 2001/2002.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-032-10 be upheld.

04-296E HEARING NO. LT-682 – JOSIAH JOHNSON RUSSELL, IV, TR.
PARCEL NO. 124-043-36

A petition for Review of Assessed Valuation received from Josiah Johnson Russell, IV, Tr., protesting the taxable valuation on land and improvements located at 322 Winding Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board, and which questioned the appraisal methods.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-043-36 be upheld.

04-297E HEARING NO. LT-1061 – CULLEN H. SHIFFRIN, ET AL.
PARCEL NO. 124-061-05

A petition for Review of Assessed Valuation received from Cullen H. Shiffrin and Robyn L. Orloff, protesting the taxable valuation on land and improvements located at 521 Lucille Dr., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board, and which requested a reduction in assessment based on no view, steep driveway, no garage and noise from the Mt. Rose Highway.

Appraiser Johnson said the property did receive a 10% reduction based on its proximity to the Mt. Rose highway and that he had reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value. Appraiser Johnson stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-061-05 be upheld.

04-298E HEARING NO. LT-854 – DOUGLAS A. AND FRANCINE P.
FULTON - PARCEL NO. 124-063-13

A petition for Review of Assessed Valuation received from Douglas A. and Francine P. Fulton, protesting the taxable valuation on land and improvements located at 806 O'Neil Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted letters, Exhibit A, which were reviewed by the Board, and which requested his assessment be reduced because of drainage on his lot and structural problems on his house.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-063-13 be upheld. Member Schmidt requested the Assessor contact the petitioner to check on the building and the ditch.

**04-299E HEARING NO. LT-1110 – GILBERT L. AND LINDA G. LARISH,
TR. - PARCEL NO. 124-071-12**

A petition for Review of Assessed Valuation received from Gilbert L. and Linda G. Larish, protesting the taxable valuation on land and improvements located at 526 Jensen Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board, and which questioned the assessment methods.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-071-12 be upheld.

04-300E HEARING NO. LT-106 – PHILIP E. AND JUNE T. BROWN
PARCEL NO. 124-071-25

A petition for Review of Assessed Valuation received from Philip E. and June T. Brown, protesting the taxable valuation on land and improvements located at 871 Donna Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board, and which questioned the appraisal methods.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-071-25 be upheld.

04-301E HEARING NO. LT-1134 – JOHN C. AND TERESA M. EPPOLITO
PARCEL NO. 124-072-05

A petition for Review of Assessed Valuation received from John C. and Teresa M. Eppolito, protesting the taxable valuation on land and improvements located at 525 Jensen Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board, and which questioned the amount of notice time for the hearing and the rate of tax increases.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-072-05 be upheld.

04-302E HEARING NO. LT-684 – JAMES R. AND LINDA E. CRONIN, TR.
PARCEL NO. 124-072-06

A petition for Review of Assessed Valuation received from James R. and Linda E. Cronin, Tr., protesting the taxable valuation on land and improvements located at 511 Jensen Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, stating they would not be present.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks was absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-072-06 be upheld.

04-303E HEARING NO. LT-111 – GLENN H. AND SHIRLEY A. MEHL, TR.
PARCEL NO. 124-081-11

A petition for Review of Assessed Valuation received from Glenn H. and Shirley A. Mehl, Tr., protesting the taxable valuation on land and improvements located at 565 Lucille Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board, and which requested a reduction because of lack of a view and noise from the Mt. Rose Highway.

Appraiser Johnson agreed that there should be a ten percent reduction on the land value based upon exterior inspections concerning the Mt. Rose Highway and the traffic nuisance. He reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (traffic nuisance) were not given enough weight by the Assessor, and upon recommendation of the Assessor, on motion by Member Allison, seconded by Member Obester, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land on Assessor's Parcel No. 124-081-11 be reduced to \$270,000.00 and the taxable value of the improvements be upheld for a total taxable value of \$357,920.00. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-304E HEARING NO. LT-116 – GLENDON E. AND BONNIE J. KEZER
PARCEL NO. 124-082-38

A petition for Review of Assessed Valuation received from Glendon E. and Bonnie J. Kezer, protesting the taxable valuation on land and improvements located at 832 Donna Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, questioning the methods of valuation, which was reviewed by the Board.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-082-38 be upheld.

04-305E HEARING NO. LT-1146 – JANEY A. MUCCIO
PARCEL NO. 124-082-40

A petition for Review of Assessed Valuation received from Janey A. Muccio, protesting the taxable valuation on land and improvements located at 818 Donna Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board, and which questioned the assessment of property.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-082-40 be upheld.

04-306E HEARING NO. LT-118 – ROBERT F. AND EVELYN L. VIERSEN,
TR. - PARCEL NO. 124-083-23

A petition for Review of Assessed Valuation received from Robert F. and Evelyn L. Viersen, Tr., protesting the taxable valuation on land and improvements located at 864 Donna Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, protesting excessive increases in valuation, which was reviewed by the Board.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-083-23 be upheld.

04-307E HEARING NO. LT-1014 – DANIELLE SAVY
PARCEL NO. 124-083-28

A petition for Review of Assessed Valuation received from Danielle Savy, protesting the taxable valuation on land and improvements located at 900 Donna Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-083-28 be upheld.

04-308E HEARING NO. LT-775 – JOHN P. MAYFIELD, ET AL, TR.
PARCEL NO. 124-084-11

A petition for Review of Assessed Valuation received from John P. Mayfield, et al, Tr., protesting the taxable valuation on land and improvements located at 874 South Dyer Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-14 and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated the Assessor would stand on their written presentation and Exhibits I, II, III, and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-084-11 be upheld.

04-309E HEARING NO. LT-1097- JOHN B., JR. AND CORNELIA R.
CLARK, TR. - PARCEL NO. 124-071-02

A petition for Review of Assessed Valuation received from John B. Clark, Jr. and Cornelia R. Clark, Tr., protesting the taxable valuation on land and improvements located at 510 McDonald Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated the Assessor would stand on their written presentation and Exhibits I, II, III, and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-071-02 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

5:40 p.m. Member Obester temporarily left the meeting.

04-310E HEARING NO. LT-110 – CHARLES D. AND LAUREAN L. MEYER - PARCEL NO. 124-081-10

A petition for Review of Assessed Valuation received from Charles D. and Laurean L. Meyer, protesting the taxable valuation on land and improvements located at 567 Lucille Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Johnson advised an exterior inspection has been conducted on the subject property, and the Assessor is recommending a 10 percent downward adjustment to the land value to recognize the influence of traffic on the Mt. Rose Highway. He stated the Assessor would stand on their written presentation and Exhibits I, II, III, and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (traffic nuisance) were not considered by the Assessor and on recommendation of the Assessor, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Members Obester and Sparks absent, it was ordered that the taxable value of land on

Assessor's Parcel No. 124-081-10 be reduced to \$270,000 and the value of the improvements be upheld, for a total taxable value of \$572,769. The Board also found that with this adjustment the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

5:45 p.m. Member Obester returned to the meeting.

04-311E **HEARING NO. LT-112 – ROBERT AND MIN S. FRIGO**
PARCEL NO. 124-081-12

A petition for Review of Assessed Valuation received from Robert and Min S. Frigo, protesting the taxable valuation on land and improvements located at 561 Lucille Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 038-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Johnson advised an exterior inspection has been conducted on the subject property, and the Assessor is recommending a 10 percent downward adjustment to the land value to recognize the influence of traffic on the Mt. Rose Highway. He stated the Assessor would stand on their written presentation and Exhibits I, II, III, and XIV.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (traffic influence) were not considered by the Assessor, and on recommendation of the Assessor, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of the land on Assessor's Parcel No. 124-081-12 be reduced to \$270,000 and the taxable value of the improvements be upheld, for a total taxable value of \$394,290. The Board also found that with this adjustment the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-312E **HEARING NOS. LT-115, -25, -683, -828, -103, -105, -829, -107, -953, -100, -473, -1013, -935, -687, -113, -117, -690, -691, -126, -855, -1063, -108, -1060, -1259, -635, -934, -56, -1182, -656, -388, -679, -101, -102, -821, -951, -429, -827, -94, -95, -1272, -96, -98, -1193, -92**

Chairman Fox noted there are no more Petitioners present for the remaining hearings and the Board has no other letters or information on the remaining

petitions. He asked the Board Members if anyone finds any reason why the remaining petitions are not similar enough to be consolidated and heard together.

On motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks absent, it was ordered that the remaining petitions be consolidated.

The Clerk called each hearing by hearing number, property owner's name and parcel number.

Chairman Fox again noted that there was no one present to represent the Appellants. He then asked the Assessor if they had any additional information to present.

Appraiser Joe Johnson, duly sworn, stated the Assessor would stand on their written presentation submitted and contained in Exhibits I, II, III, XIV, XVI, XVII, and XVIII.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-115	Ann Nygren	124-082-32
LT-25	Lambert and Susan M. Fagan, Tr.	122-129-05
LT-683	Albert Petrosian, et al.	124-071-06
LT-828	Clarence K. and Millie Ching, Tr.	124-071-08
LT-103	Clyde A. and Helen F. Moll, Tr.	124-071-14
LT-105	Jeremy L. Reichert	124-071-19
LT-829	Robert J. and Laurie M. Beavers	124-071-20
LT-107	Joseph E. and Kaye M. Shackford, Tr.	124-071-30
LT-953	Vicki E. Bossi	124-071-31
LT-100	Ernest C. Dannenfelzer	124-064-16
LT-473	John H. and Kathleen A. Congistre, Tr.	124-082-05
LT-1013	John S. and Linda P. Levy, Tr.	124-064-11
LT-935	Werner and Rosa D. Salinger, Tr.	124-082-41
LT-687	Philip F. and Wilda J. Frasher	124-083-02
LT-113	Richard H. and Darlene J. French	124-083-15
LT-117	James M. and Vicki L. Killfoil	124-083-20
LT-690	Debra J. Ross	124-084-06
LT-691	Ronald H. Carr	124-084-09
LT-126	Kuo B. and Tricia B. Tong, Tr.	124-084-12
LT-855	William R. and Ingrid Fox	124-085-03
LT-1063	Richard J. and Shirleen A. Niewiroski	124-085-04
LT-108	Richard M. and Nancy J. Bailey, Tr.	124-072-02

LT-1060	Joseph M. and Sharon K. Pusateri, Tr.	124-032-16
LT-1259	Robert E. and Eunice M. Kaspar	124-085-09
LT-635	Frederick F. and Susan L. Carroll, Tr.	122-201-24
LT-934	James F. and Linda A. Jost	122-202-12
LT-56	James A. Smith, Jr., Tr.	122-213-20
LT-1182	Thelma A. Walker, Tr.	122-214-09
LT-656	Carl M. III. And Katharine P. Herbert	122-252-04
LT-388	James A. and Ruth E. Heisch	130-170-15
LT-679	Thomas and Margie Barrow, Tr.	124-031-01
LT-101	Barbara G. and Samuel W. Turner	124-064-27
LT-102	Paul A. Hovorka, Tr.	124-031-17
LT-821	William R. and Mary O'Donnell	122-193-25
LT-951	Robert J. and Stephanie Reddell, Tr.	124-032-20
LT-429	Nicholas Duncan	124-032-27
LT-827	Roy C. and Rhonda R. Tremoureaux	124-042-10
LT-94	Carl E. and Denise N. Touhey, Tr.	124-042-15
LT-95	Gino Bellagio	124-043-48
LT-1272	William R. and Lillian Neal, et al	124-061-08
LT-96	Oswald A. and Nola H. Rugaard, Tr.	124-061-10
LT-98	Charles G. and Suezie S. Gore	124-062-04
LT-1193	Gary M. and Barbara D. Brown	124-063-04
LT-92	John A. and Marceline H. Difeo, Tr.	124-031-03

PUBLIC COMMENTS

There was no response to the call for public comments.

6:05 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 11, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Lori Rowe and Sharon Gotchy,
Deputy Clerks*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

WEDNESDAY

9:00 A.M.

FEBRUARY 11, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Gary Schmidt, Member
Steven Sparks, Member
Jon Obester, Member

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
David Watts-Vial, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Washoe County Board of Equalization convened in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following hearings listed on the February 11, 2004 agenda have been withdrawn by the Petitioners:

Hearing No. 998	Dell V. & Shirley L. Rowley	APN 126-163-11
Hearing No. 999	Dell V. & Shirley L. Rowley	APN 127-080-05
Hearing No. 1000	Blaine & Elizabeth Rollins	APN 127-320-01

9:00 A.M. - BLOCK

DISCUSSION AND POSSIBLE ACTION – UTILIZATION OF ALTERNATES WHEN REGULAR MEMBER IS ABSENT

Chairman Fox commented that the issue of having alternate Board Members to sit in place of absent Members has been before the Board previously, and he is in favor of having a full Board whenever possible because that would enhance the proceedings.

Member Allison commented that this year’s load is heavy, and alternates would provide a full Board during times when absences are unavoidable.

Chairman Fox asked if a process could be set up so that when a Board Member cannot be present, that Member would let the Assessor know and the Assessor would notify the first alternate and ask them to be at the hearing; and if the first alternate

could not attend, the second alternate would be contacted. The Assessor agreed with the suggestion.

Member Schmidt brought up the issue of members occasionally having to leave early and asked that alternates be obtained under those circumstances also. After discussion, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that it be a policy of the Washoe County Board of Equalization that when a permanent member cannot be present or must be absent for a certain portion of the day, that, upon notice to the Assessor, every attempt will be made to secure an alternate for that position for the date and time of the regular Member's absence.

DISCUSSION AND ACTION - POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board follow the procedure already set forth for this year's hearings; i.e., that hearings where the petitioners are present will be heard first, in the order in which they appear on the agenda; then any petitions with letters or additional information will be heard, in the order in which they appear on the agenda; and then the balance of all remaining petitions asserting the same or similar reasons will be consolidated.

04-313A-E ROLL CHANGE REQUESTS – INCREASES

Following discussion, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that, pursuant to NRS 361.345(2), the County Clerk issue notices of tax roll increases to affected property owners setting Friday, February 27, 2004 at 9:00 a.m. as the date and time for the Board to act on tax roll change requests Nos. 40, 41, 42 and 52 increasing taxable values as delivered to the Clerk.

04-313B-E ROLL CHANGE REQUEST – DECREASES

Following review and discussion, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that Roll Change Requests Nos. 25 through 39, resulting in decreases, which were placed on file with the Clerk, be approved for the reasons stated thereon.

04-313C-E ROLL CHANGE REQUEST - INCREASE

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that, pursuant to NRS 361.345(2), the County Clerk issue a notice of tax roll increase to the affected property owner setting Friday, February 27, 2004 at 9:00 a.m. as the date and time for the Board to act on tax roll change request No. 78 increasing taxable values as delivered to the Clerk. It was noted the subject

property owner has filed a Petition for Review of Assessed Valuation; but, if the Petition is withdrawn, the Assessor would be requesting the Board consider this increase request.

* * * * *

Chairman Fox outlined the process for the hearings and the order of the day for the Petitioners that were present. He explained the role of the Board of Equalization and the Board's limited jurisdiction. He emphasized that the Board makes no decisions regarding taxes and has no jurisdiction over what services the County provides.

04-313E HEARING NO. LT-1108 – RICHARD J. ANTHONY, ET AL.
PARCEL NO. 123-273-01

A petition for Review of Assessed Valuation received from Richard J. Anthony, et al., protesting the taxable valuation on land and improvements located at 120 State Route 28, #33, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033-MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

Richard J. Anthony, Petitioner, was sworn, submitted a letter, Exhibit A, which was reviewed by the Board, and testified that he is appealing the value of the property based on excessive and inequitable valuation of the land. Petitioner Anthony stated that from the information provided in the appraisal record, he could not determine how the land value, which he stated is a common area, was set at \$420,000. He said this is an excessive increase over 2002 when the land value was \$151,000. He also stated his understanding was that land values were based on comparable vacant lot sales in the area. The area that his condominium sits on is approximately 972 feet, and the comparable sales list from Exhibit I, Crystal Bay Vacant Land Sales, shows areas of 47,000 square feet for \$800,000, which is a close property on Parcel 123-121-01. He requested that the Assessor's taxable value for land be set aside and put back at the 2002 level.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She further explained that the land value was determined using a land-to-building ratio of 50 percent, because these are lakefront condominiums.

In response to a question by Member Sparks, Appraiser Del Giudice stated that she relied on comparable sales in Exhibit III, and on Exhibits I, II, and V in arriving at the land value. She stated the Exhibits were provided to the Petitioner.

Member Sparks asked if the allocation method used was an appropriate method when valuing condominiums, to which Appraiser Del Giudice answered in the affirmative.

Member Sparks asked for clarification on the first improved sale, stating with a sales price of \$700,000, 50 percent for the land would be \$350,000. He asked whether the appraiser took into account building size as an allocation factor. Appraiser Del Giudice stated that building size was considered, but similar-sized unit sales in the complex were used to come up with the median.

Member Obester commented that the quality class seemed high for such a small unit and asked whether an interior inspection had ever been conducted. Appraiser Del Giudice replied that she had not been in the unit, but that everything at Stillwater Cove is a quality class 6, because it is a very nice complex.

In rebuttal, Petitioner Anthony questioned the arbitrary nature of why the land value was appraised at \$420,000 when the median for the area was more like \$350,000. He stated there are 43 units in the complex; and he was unclear why the subject property was above the median stated, especially since no one ever visited the unit. It was noted that all of the like units have the same land value, and Petitioner Anthony stated he does not believe all of the units are equivalent by location, view, assessment, or the size of the land. The Petitioner then responded to several questions from Board members concerning the land and the common area. He stated that he believed his interest in the common area was much lower but that he was being taxed at an equal rate when he doesn't have an equal interest.

Chairman Fox asked Appraiser Del Giudice to respond to the Petitioner's questions regarding valuation of other units to get a better understanding of what the land values are.

Appraiser Del Giudice responded that the land value for units under 1,200 square feet is \$420,000; units at 1,200-1,800 square feet are \$600,000; units at 1,801-2,299 square feet are \$775,000; units at 2,300-2,999 are \$860,000; and units over 3,000 square feet are at \$1,250,000. She further stated there is one free-standing unit with a land value of \$1,475,000.

Chairman Fox clarified that they do not all have the same land values and asked if these were derived by using 50 percent of the median sale prices within these groupings, to which Appraiser Del Giudice answered affirmatively.

Member Schmidt asked how the title is held in the common area. Appraiser Del Giudice responded it is not a separate parcel and each property owner has an undivided interest based on the percentage of the size of the unit.

In response to Petitioner Anthony's inquiry about whether the method used is correct, Member Sparks stated that the method that is used by the Assessor is

correct, and it is a generally accepted appraisal practice to value condominium units this way.

The Chairman closed the hearing, and commented on the method of valuation of condominium units at Lake Tahoe, noting that the land valuation methods are similar in all the condominiums.

Member Obester commented that these are the highest-priced properties that he has seen on a square-foot basis. He said the three comparable sales range from \$620 per square foot to \$840 a square foot, and that the subject property's taxable value per square foot is \$524, which is substantially below the comparable sales.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 123-273-01 be upheld.

Member Schmidt commented that he abstained because his questions on how the deed was held for the common area could not be answered and because the Assessor's mapping is inadequate for him, which he believes is in violation of the Nevada Administrative Code.

04-314E HEARING NO. LT-1042 – GABRIELLE I. DENTRAYGUES
PARCEL NO. 124-340-29

A petition for Review of Assessed Valuation received from Gabrielle I. Dentraygues, protesting the taxable valuation on land and improvements located at 866 Northwood Blvd., #29, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Gabrielle I. Dentraygues, Petitioner, was sworn and testified that when she appealed, it was because of what is going on in Incline and because her taxes have been raised more this year. She further stated one of her concerns was the fair income expectancy from the property because it is a rental, and that the rent has gone way down on the property. She stated it was vacant for four months while she tried to get the amount she was seeking and finally had to lower it. She stated that she was unsure if that had anything to do with the assessments.

Chairman Fox commented he has been an appraiser for more than 30 years and income is not typically a consideration on single-family properties. He stated if

Petitioner wanted to present evidence of income and expenses and what value that would give to the property, she could do so, but that in his experience it would not be very germane.

Member Obester asked whether the Petitioner had any income data on the subject property, to which the Petitioner responded that the rental began at about \$1,100 per month and that currently it is at \$1,000. The Petitioner stated this is income property; she has been doing 1031 exchanges; and now with the taxes and expenses going up, it is becoming detrimental to hold it.

Chairman Fox asked the Petitioner what she could sell the property for; and the Petitioner responded that she was not sure, but maybe \$275,000. Chairman Fox suggested that the Petitioner's estimate is probably pretty good, and asked the Petitioner if she was aware that the Assessor's taxable value of the property is \$125,000. The Petitioner stated she was aware of that value.

Member Allison commented that dramatic increases in values are being seen in the area, and that does create a dilemma for property owners who would like to see the property values as they were years ago for tax purposes.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

In response to Member Schmidt, Appraiser Del Giudice explained the land value was determined by the median sales price of all units on Page 2, using the allocation method with the land-to-building ratio of 25 percent. She further stated the 25 percent ratio was determined by sales of vacant lots in Incline Village that later resold as improved lots.

In response to Member Allison's question as to whether the appraisal is correct in showing that there were three sales in 2003 at \$280,000, \$283,000 and \$300,000, the Appraiser responded affirmatively.

Member Schmidt then asked if that would indicate that the method used was inappropriate and inaccurate, to which the Appraiser stated that it would indicate the Assessor's taxable value was low.

The Petitioner indicated she had no rebuttal.

The Chairman closed the hearing.

Member Schmidt noted it would appear the methods used in this appraisal are not accurate and need further evaluation, but it would also appear that they didn't put the Petitioner in jeopardy or at disadvantage. Chairman Fox commented that from what the Board has seen at the hearings, the taxable values at Incline Village are very low.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-340-29 be upheld.

04-315E HEARING NO. LT-1007 – ROBERT DAHL
PARCEL NO. 126-292-25

A petition for Review of Assessed Valuation received from Robert Dahl, protesting the taxable valuation on land and improvements located at 400 Fairview Blvd., #61, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051-HDS and designated 021-condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

Paul Levy, representing Petitioner Robert Dahl, was sworn and testified that he is a co-worker of the Petitioner, who is currently out of town.

In response to Chairman Fox's question regarding authorization to represent the Appellant, Paul Levy presented a document signed by Mr. Dahl.

Mr. Levy stated that according to Clark County, using single-family building land-to-improvement ratios to establish condominium land-to-improvement ratios may not be used. Chairman Fox asked if there was any documentation to support that statement. Mr. Levy responded that he did not talk to them personally and has nothing in writing, but said he was so informed by an attorney, Mr. Azevedo, who has been representing Mr. Dahl and himself in tax matters.

Mr. Levy then read the following excerpt from the Twelfth Edition of the "Appraisal of Real Estate," "Occasionally a property is appraised without separate land value conclusions, such as in the valuation of a condominium interest." Mr. Levy stated that Mr. Dahl's assertion is that, in addition to these authorities, the motivation to purchase a single-family dwelling as opposed to a condominium is quite different. He stated the square footage of homes and the ratio of land on single-family homes are quite inconsistent, generally speaking, and certainly it is in Mr. Dahl's condominium.

Mr. Levy further commented that the information he just received at this hearing should have been made available to Mr. Dahl prior to the hearing. He requested information from the Assessor's Office in order to have the ability to evaluate whether condominiums in Incline Village, and specifically Mr. Dahl's unit, are consistent with other communities in Incline and other cities in Washoe County.

Chairman Fox responded that all the taxable values in Washoe County are public record and open for inspection to anyone. The information can be obtained at the Assessor's Office, and there are people there to help if necessary.

Mr. Levy then asked how the established land value-to-building ratio, in Mr. Dahl's unit was increased by 90 percent, and stated that was an unreasonable increase.

Chairman Fox asked the Board's legal counsel to comment as to whether there is anything in the statutes that would limit the magnitude of change in the taxable value, to which Legal Counsel David Watts-Vial responded that there is no limit as to how much a property can go up.

Mr. Levy acknowledged Member Allison's reiteration of information shown in Exhibit III, showing the appraisal by the Assessor, and the sales of very similar units in the same complex in 2000 and 2002 with sales prices from \$447,000 up to \$530,000. Member Allison further pointed out that something else occurred which will affect other people in that community and that was the sale to Mr. Robert Dahl in April of 2002 for \$560,000. She further commented that the taxable value of the subject property was not raised to the sales price of \$560,000, but is at \$287,143.

Member Sparks and Mr. Levy discussed the publication Mr. Levy quoted as well as the Nevada laws concerning appraisal of property; and Member Sparks cautioned Mr. Levy about taking statements out of context. Mr. Levy continued to assert that the Assessor is using an inappropriate methodology for determining taxable values. A lengthy discussion ensued concerning various appraisal methods.

Member Schmidt stated, based on the comparables before him and using the extraction method with full replacement cost, not depreciated, and then adjusting to the median percentage of taxable value to market value that is found in all of Washoe County outside of Incline Village, he determined that the taxable value on the land for subject property should be \$225,000; and that is the method he supports. He added that the Board, however, does not have the authority to raise anyone's taxable value.

Chairman Fox stated if that other methodology being put forth by many condominium owners in Incline Village was adopted, it is his opinion, as a professional appraiser, the result would be much higher land values than are seen today.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Chairman Fox asked the Appraiser to explain the methodology used to determine the land value for these condominiums. He also asked her for the various land values in the complex.

Appraiser Del Giudice explained that she took single-family residential lots that sold vacant and then resold as improved to get a land-to-building ratio, and that ratio was 25 percent. Appraiser Del Giudice stated she then applied that 25 percent to the median sales price of similar sized units in the complex, which resulted in land values.

Chairman Fox stated the Appellant's agent testified that the Director of Taxation has said that is an improper method, and asked the Appraiser whether the Director of Taxation of the State of Nevada has informed her that that is improper. Appraiser Del Giudice replied that he has not.

Appraiser Del Giudice stated that the land values in the subject complex range from \$80,000 to \$175,000, depending on square footage.

Member Obester noted the ratio of taxable value to market value for subject property is 51 percent, and the testimony has been that the rest of Washoe County is at 72 percent. Chairman Fox stated that the median ratios between taxable value and market value in Incline Village are consistently much lower the rest of Washoe County.

Mr. Levy stated he had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 126-292-25 be upheld.

04-316E HEARING NO. LT-1169 – RICHARD E. AND SVATA S. TROSSEN
PARCEL NO. 126-550-17

A petition for Review of Assessed Valuation received from Richard E. and Svata S. Trossen, protesting the taxable valuation on land and improvements located at 1461 Glarus Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Svata S. Trossen, Petitioner, was sworn and stated she had prepared remarks that she would like to read to the Board, Exhibit A. She distributed copies to the Board.

Chairman Fox stated his belief that the Assessor had made a recommendation to reduce the value of subject property and asked the Petitioner if she

was aware of that. Petitioner Trossen acknowledged that she was aware of the recommendation.

Petitioner Svata Trossen testified that Tyrolian Village is a somewhat unique neighborhood within Incline Village. Chairman Fox stated that he and the other Board members are very familiar with Tyrolian Village. Petitioner Trossen stated that in the Assessor's comparable sales on Condo Exhibit I, there are sales within Lower Tyrolian included, and she believed that skews the median prices that are actually in her development, which is the 77 acres up at the top. She provided very detailed information and talked at length about Tahoe Regional Planning Agency restrictions in Tyrolian Village and the difficulty obtaining coverage.

Chairman Fox asked for clarification as to whether the Petitioner's lot was already built on; and Petitioner Trossen confirmed that it was, but added that her understanding was that all vacant land is taken into consideration when they assess the valuation of their land.

Chairman Fox explained that the Assessor values improved properties for their value in-use, which means that he values them as they are being used today, with no speculation about what they might, or might not, do in the future.

Petitioner Trossen stated that TVL-3 in her comparable sales was a vacant land sale for \$33,000 with no coverage. She added that the man who purchased that property had to pay \$75,000 for coverage, which made a total of \$108,000.

Chairman Fox asked whether the Petitioner noted that that lot had no view. Petitioner Trossen stated that the V-0 view is because nothing is built on it. Chairman Fox stated that was not his understanding, and apparently there is some debate about whether the view classification on the subject property is a V-5 or V-6. The Petitioner concurred with Chairman Fox's statement. Chairman Fox mentioned that view is a very important ingredient in land value in the Tahoe basin, which the Petitioner acknowledged.

Petitioner Trossen stated that their land has been adjusted to \$218,000, and asked whether the filtered V-5 view is worth \$110,000 more than a mountain view. Petitioner Trossen stated that she believed her land value should be between \$150,000 to \$160,000. She further stated they had the property appraised in December 1997 prior to purchasing the property. Chairman Fox asked for the conclusions of the appraisals. Petitioner Trossen stated that one of the appraisals was \$602,000 and the other was \$426,000. Chairman Fox restated that Petitioner had two appraisals done in 1997 by licensed Nevada appraisers, one for \$602,000 and the other for \$426,000.

Member Obester asked what the purchase price was. The Petitioner replied the purchase price was \$525,000.

Chairman Fox asked the Petitioner if she was aware that the current taxable value is \$485,945 and the Assessor is recommending to reduce that to \$395,672, which she acknowledged.

Petitioner Trossen stated that she brought that up because the appraising profession is very subjective, and \$176,000 between two appraisers is quite a big difference which leads her to believe that possibly the Assessor's land valuation may be a little high, as well. Petitioner Trossen added that the Assessor is to take into consideration physical characteristics, and that she realizes that the work load is very heavy and it is very difficult for them to accurately do their appraisals because they drive by. Petitioner Trossen stated that if it is done in summer, they cannot evaluate the winter snow load. She said their elevation is 7200 feet, and there have been times when they have been snowed in. She testified that their deck is inaccessible most of the winter because of snowdrifts that have been piled against their door.

Chairman Fox asked the Petitioner what the land values were on the two appraisals done in 1997. The Petitioner stated she did not believe it was broken down between land and building, but if it was, she did not pull that information out.

Member Schmidt asked for clarification from the Petitioner concerning her statement that, "some of these factors were not obvious to us when we purchased the property." Member Schmidt asked if it was Petitioner's testimony that when they purchased the property the price was not representative of the market and whether the Petitioner felt she was prudent and knowledgeable at the time she made this purchase. Petitioner Trossen stated they bought the subject property from a private party, they had previously lived in Bitterbrush directly below this, and they thought they had enough of an idea of what the weather would be like higher. Member Schmidt asked the Petitioner if she believed that, because of the lack of that knowledge, they paid more than full cash value for the property. Petitioner stated that she felt it was a fair price at the time.

Appraiser Del Giudice advised the Assessor does have a recommendation to reduce the land and improvement values on the subject property based on an interior inspection conducted by two appraisers. She explained the improvements were entered as an incorrect quality class of 5.0 rather than 3.5, and they have determined that the view rating should be 5.0, not 6.0.

Petitioner Trossen indicated she had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal (quality class of improvements and view classification), and as recommended by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 126-550-17 be reduced to \$218,000 and that the taxable value of the improvements be reduced to \$177,672, for a total taxable value of \$395,672. The Board also made the findings that,

with this adjustment, the land and improvements are valued correctly and the taxable value does not exceed full cash value.

04-317E HEARING NO. LT-1153 – DEBORAH L. MOORE
PARCEL NO. 127-361-09

A petition for Review of Assessed Valuation received from Deborah L. Moore, protesting the taxable valuation on land and improvements located at 989 Tahoe Blvd., #8, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-TC and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

In response to Chairman Fox's question as to whether the Tahoe Racquet Club still has tennis courts, Appraiser Del Giudice responded that she believed so but that the taxpayer could probably answer better.

Deborah L. Moore, Petitioner, was sworn and testified that she was appealing more for the principle of the thing and to state that she did not believe they received adequate notice of the hearing.

Legal Counsel Watts-Vial stated that it is the opinion of the District Attorneys Office that the notice was appropriate under the statute.

Petitioner Moore responded to Chairman Fox's question regarding amenities, stating that when originally built in 1971, they did have a clubhouse, tennis courts, swimming pool, and a lot of other amenities; and it was a private club. She said they do not have any of those amenities today; the property now consists of the living units only; and there is very limited parking. Petitioner Moore said she believed the assessment of the property is unjust and inequitable compared to rest of the State of Nevada and Washoe County.

Chairman Fox pointed out that there have been several ratio studies to answer that question, and all of the ratio studies that have been presented to the Board indicate that, when you compare taxable value to full cash value or market value, Incline Village is taxed far lower than any other part of Washoe County.

Member Schmidt clarified that the Petitioner included the State of Nevada, which is beyond the purview of this Board, and that the Board can only deal with equalization within Washoe County.

Petitioner Moore asked to incorporate by reference into the record on appeal all of the facts and testimony presented in the appeals of Incline Village properties

for 2003, 2004 and 2005. Chairman Fox stated that they would not do that; that the Board would only consider what was presented here today for subject property only.

Petitioner Moore stated that she believed her land value is affected by adverse factors, one being that the condominiums are landlocked at this time. She added that they do have an easement because the properties that have the tennis courts, the swimming pool and the other amenities have been sold off or were taken over by someone else.

In response to Chairman Fox's question, the Petitioner stated the property was purchased in 1996, the amenities were gone at the time of purchase, and the purchase price was \$123,000. Chairman Fox asked if there had been any other sales, because the figures didn't seem to match; and Petitioner responded that she refinanced and bought out her partner in 2002, which is why it shows the figure of \$237,000. She indicated that she paid her partner for the portion of the equity which had increased, which was about \$55,000. Chairman Fox clarified that Petitioner bought the property in 1996 for \$123,000, and then another \$55,000 in 2002, for a total of \$188,000 invested in the property. The Petitioner agreed that was correct.

Petitioner Moore stated she does not understand why some units are valued at \$60,000 for the land and some are valued at \$50,000, or why the improvements are valued at different amounts since these are condominiums that were built at the same time. She stated she is requesting that the assessment be reduced back to what it was in 2002 and that the tax appraisal methods be consistent with laws and regulations.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V. She indicated that the properties are all within the same complex as the subject property, so they would all have the same issues in regards to parking and easements. She stated that the difference in cost in improvements is strictly due to insider end units.

Chairman Fox clarified that in the Marshall-Swift costing manual, depending on whether a unit in a multiple-unit building is an end unit or in the middle makes a difference in the cost, according to Marshall-Swift.

Chairman Fox asked about the land values in relation to the unit size, and Appraiser Del Giudice indicated that the land values are done based on the size of the unit, that even though the footprint is the same, there are units that are about 300 square feet smaller. She further stated that there are two land values in this complex.

In rebuttal, Petitioner Moore pointed out that the units that have 1,649 square feet have a land appraisal of \$60,000, and the ones with 1,300 have a land value of \$50,000, which seems like a huge difference, since they all have the same footprint. Petitioner stated that she has a loft in her unit that is really an A-frame and is not usable, although they do count it as square footage even though it is not usable as living area. She

stated that the ones with 1,300 do not have a loft, just a higher ceiling, but they have a lower amount of land value even though they actually own the same land.

Member Schmidt asked Petitioner if she was aware whether everyone owns an equal, undivided interest in the common areas. Ms. Moore indicated that was her belief.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in appraisal, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Members Allison and Fox voting “no,” it was ordered that the taxable value of the land on Assessor’s Parcel No. 127-361-09 be reduced to \$50,000 and that the taxable value of the improvements be upheld, for a total taxable value of \$112,600. The Board also found that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

The Clerk asked for clarification on the motion, after which Member Obester asked to rescind his vote. Legal Counsel advised that, if the Board chooses, it could make a motion to reopen.

Member Obester made a motion to reopen Hearing LT-1153. There was no second, and the motion died.

04-318E HEARING NO. LT-1083 – JAMES E. AND VIRGINIA G. OSTERGREN, TR. - PARCEL NO. 127-420-12

A petition for Review of Assessed Valuation received from James E. and Virginia G. Ostergren, Tr., protesting the taxable valuation on land and improvements at 875 Southwood Blvd., #12, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor’s Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

James G. Ostergren, Petitioner, was sworn, and at the request of Chairman Fox, oriented the Board as to the location of the subject property. He submitted a letter, Exhibit A, testified that his presentation would be in the form of the letter, which he then read into the record. The letter stated that the assessment was unjust and inequitable, that he did not receive adequate notice of the hearing, that the Assessor has not used proper methods to value the property, and that no justification has been provided for the 67 percent increase in one year.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. She also explained how the land value was determined and stated the Assessor would like to include Exhibits I, II, III and V.

In rebuttal, the Petitioner asked for clarification from Appraiser Del Giudice regarding the number of comparable sales. He stated that he received materials with three comparables as he walked through the door.

Chairman Fox asked the Appraiser to respond to the Petitioner's inquiry, and Appraiser Del Giudice stated that they are using two of the three sales on Exhibit III. She indicated there were nine sales in the same complex, and the record indicated that copies of those were mailed to the Petitioner.

Chairman Fox asked for clarification from Appraiser Del Giudice that their records indicate that those materials were mailed to the Appellant sometime back in January, to which Appraiser Del Giudice concurred.

The Petitioner indicated he had no further rebuttal.

The Chairman closed the hearing.

Member Allison stated that the Petitioner is concerned about the increases, and the increases have been substantial. She said it is too bad that they had a long period of time with no increases and then all of a sudden this happened, but there is a justification. Member Allison indicated that subject property has a taxable value of \$217,520, and the comparable sales are all in excess of \$400,000.

Chairman Fox commented on the Appellant's requests stating that the property owner can make an appointment with the Assessor for a detailed explanation on the valuation assessed on his property. He further stated the request to reassess the property using a cost of living multiplier methodology is not allowed by Nevada Statutes.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 127-420-12 be upheld.

11:30 a.m. – Member Allison temporarily left the meeting.

04-319E HEARING NO. LT-638B – IULIANO ENTERPRIZES
PARCEL NO. 132-030-46

A petition for Review of Assessed Valuation received from Iuliano Enterprizes, protesting the taxable valuation on land and improvements located at 801

Northwood Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner had signed in, but left before the hearing was called.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-030-46 be upheld.

04-320E HEARING NO. LT-969A&B – TOEPA #17 LLC, TOEPA #18 LLC
PARCEL NOS. 132-191-02, 132-191-03

A petition for Review of Assessed Valuation received from Toepa #17 LLC and Toepa #18 LLC, protesting the taxable valuation on land and improvements located at 751 Tahoe Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, for each parcel and oriented the Board as to the location of subject property.

The Petitioner had signed in, but was not present when the hearing was called. He had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Sparks noted the letter references that these properties are designated as low-income. Appraiser Del Giudice stated there are restrictions enforced by the Tahoe Regional Planning Agency, and some of the restrictions were in place when the subject property was purchased, and at the time of all the sales listed on page 1 of Exhibit III.

Member Schmidt asked if the restrictions are on the comparable properties also. Appraiser Del Giudice stated all the comparables are in the same complex and are all under the same TRPA restrictions and the same CC&R's.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcels Nos. 132-191-02 and 132-191-03 be upheld.

04-321E HEARING NO. LT-994 – JOSEPH H. AND MARGIT E. DEUERLING - PARCEL NO. 132-540-01

A petition for Review of Assessed Valuation received from Joseph H. and Margit E. Deuerling, protesting the taxable valuation on land and improvements located at 213A Robin Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner had signed in, but was not present when the hearing was called.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-540-01 be upheld.

04-322E HEARING NO. LT-974 – HAYNE E. LELAND, TR. PARCEL NO. 122-080-05

A petition for Review of Assessed Valuation received from Hayne E. Leland, Tr., protesting the taxable valuation on land and improvements located at 525 Lakeshore Blvd., #72, Incline Village, Washoe County, Nevada, was set for

consideration at this time. The property is zoned 035-LDU and designated 021-condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Sparks asked the Appraiser to comment on the Petitioner's statements that he had no garage, the close proximity to a major highway, large trees blocking his view and the age of the condominium. Appraiser Del Giudice stated the comparable sales she used are all in the same complex as the subject property, so they would all have those same detriments.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-080-05 be upheld.

04-323E HEARING NO. LT-1001 – CIRCLE Y LLC
PARCEL NO. 122-080-15

A petition for Review of Assessed Valuation received from Circle Y LLC, protesting the taxable valuation on land and improvements located at 525 Lakeshore Blvd., #62, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated 021-condominium.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Sparks noted the Petitioner claims the comparable sales used for the assessment were for condominiums with a different floorplan, having an upper and lower deck and asked Appraiser Del Giudice if the subject property has an upper and lower deck or if any of the improved sales have an upper and lower deck. Appraiser Del Giudice replied that Improved Sales 1 and 2 have an upper and lower deck, and that Number 3 is the same as the subject, with only one deck.

Member Sparks asked Appraiser Del Giudice about the Petitioner's statements concerning the view. The Appraiser replied that, because these are lakefront properties, they do not adjust for view.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-080-15 be upheld.

04-324E HEARING NO. LT-1052 – DONALD M., JR., & PAMELA T. WIGHT - PARCEL NO. 122-080-17

A petition for Review of Assessed Valuation received from Donald M., Jr., and Pamela T. Wight, protesting the taxable valuation on land and improvements located at 525 Lakeshore Blvd., #60, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035 LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter with photographs, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Sparks asked if any of the items mentioned by the Petitioner would impact value or need clarification. Appraiser Del Giudice responded that the factors considered as adverse by the Petitioner are the same for all units in the complex; and the comparable sales are all from this complex and the one next door. Appraiser Del Giudice further disputed the Petitioner's assertions regarding lake view, different floor plans, garages, difference between asking price and sales price and location.

Chairman Fox commented that although the Appellant did not appear today, they did make a large effort with pictures and arguments, and he believed the Assessor has responded to those arguments.

Member Schmidt asked how the Assessor determined the base land value. Appraiser Del Giudice responded that she took sales of units in this complex and the complex located next-door, none of which had garages, to determine the median sales price, and they used a land-to-building ratio of 50 percent for the land value.

Member Schmidt indicated that the Petitioner testified, through written submission, that those that have garages have them and that those that don't will not have the opportunity to build garages, and asked the Appraiser if that is her understanding, to which she replied affirmatively.

Member Schmidt further asked if there should be a different land value assigned, since the capacity to build a garage is a value and an amenity that is assigned to land value. Chairman Fox interjected that it is a little different in condominiums, and asked the Appraiser whether the garages are located on the common area. Appraiser Del Giudice stated that they are. Chairman Fox then stated that the common area land is valued differently than the individual unit land, so if this were a single-family residence he would agree, but in a condominium the garages area actually not located on the land assigned to the unit, but rather on the common area.

Member Schmidt asked if the common area in this development has a separate parcel number, and the Appraiser stated that it does not. Member Schmidt then asked how the common area is assessed, and the Appraiser indicated that the common area improvements are divided by the total number of units in the complex. She explained that the improvements, not including the garages, are items such as asphalt, fencing, landscaping, etc., and the values are calculated at replacement cost new, less depreciation, and divided by the total number of units.

Member Schmidt asked if this included the common area land, and the Appraiser stated that since there is no parcel for it, that there is no parcel number. Chairman Fox indicated that it is included in the land value assigned to the individual units because it has not separate parcel to assign value to.

Member Schmidt stated that he appreciated Chairman Fox's contribution which is enlightening, but he still needs clarification as to the individual units being assigned the amenity or being able to have a garage and not being able to have a garage to land somewhere, and since there is no land assigned to the common area, the only other place to assign that is to the taxable value of the land for each individual parcel. Member Schmidt further commented that in this particular case, the subject property does not have a garage unit, so it's on the right side of equalization, but he would think that a greater land value should be assigned to those units that have garages and have the capacity to have a garage. He said this is basically an equalization argument, because the Petitioner is being taxed the same amount on his land as other units that do have garages.

Member Obester agreed they should be taxed more if they have garages.

Chairman Fox asked Appraiser Del Giudice if she had data indicating the difference in price between those with garages and those without garages, to which she responded that she did not. Chairman Fox indicated that, if the Board had that information, they could deduct the cost of the improvement of the garage and whatever difference was left over could be attributed to land, but that is not before the Board.

Member Obester stated the market does not necessarily recognize that. Chairman Fox stated that the market does recognize that, but they do not have the analysis to indicate that.

Member Schmidt asked the Appraiser what the general value of a garage would be in Lake Tahoe, to which appraiser Del Giudice indicated she has not done a study on it and could not assign a dollar value. She mentioned that these garages are not necessarily sold with the units and can be sold to anyone in the complex. Member Schmidt indicated that would be a basis for establishing the value of the garage. Appraiser Del Giudice stated that none have been sold in many, many years.

The Chairman closed the hearing.

Member Schmidt commented that he is concerned that the taxable values of condominiums at Lake Tahoe appear to be substantially less than market values, but he believed the subject property does have an equalization issue because of the lack of a garage. He further stated he believed the value of a garage on a unit like this would be a minimum \$25,000.

Member Schmidt moved to reduce the taxable value of the land on subject property by \$25,000 because of the absence of a garage or the opportunity to build one. Chairman Fox seconded the motion.

Member Obester questioned whether the property would then be out of equalization with other properties. Member Schmidt indicated that the other alternative would be to raise the value of the units with garages.

Member Sparks commented that the Appraiser has presented five sales of properties in the same complex, a 1,521 square foot unit with a 248 foot garage that sold for \$702 per square foot on 8/25/03, and a 1,708 square foot unit without a garage that sold on 3/13/02 for \$703. He analyzed the data and stated it indicates that with or without a garage it's still \$702 per square foot.

Chairman Fox called for the question. The motion failed with Members Obester and Schmidt voting "yes," Members Fox and Sparks voting "no," and Member Allison absent.

Member Schmidt then moved to continue subject hearing to a time when there is a full Board. Chairman Fox seconded the motion. Upon call for the vote, the motion failed with Member Schmidt voting "yes," Members Fox, Obester and Sparks voting "no," and Member Allison absent.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Chairman Fox, which motion duly carried with Member Schmidt voting "no," and Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-080-17 be upheld.

04-325E HEARING NO. LT-1131 – CATHERINE M. FERGUSON, TR. ET AL. - PARCEL NO. 122-530-24

A petition for Review of Assessed Valuation received from Catherine M. Ferguson, Tr., et al., protesting the taxable valuation on land and improvements located at 475 Lakeshore Blvd., #24, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated 021-condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Allison absent and Member Schmidt abstaining, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 122-530-24 be upheld.

12:30 p.m. The Board recessed for lunch.

1:15 p.m. The Board reconvened with all members present except Member Allison.

**04-326E HEARING NO. LT-1277 – FRED R., JR., & MARILYN LUMMIS,
TR. - PARCEL NO. 123-271-04**

A petition for Review of Assessed Valuation received from Fred R., Jr., and Marilyn Lummis, Tr., protesting the taxable valuation on land and improvements located at 120 State Route 28, #44, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but a letter from Attorney D. G. Menchetti requesting a continuance of the hearing, Exhibit A, was received.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Sparks noted that the Board has not granted any continuances because of the full calendar for this year.

Chairman Fox asked the Assessor again if there was any time left on the calendar between now and the end of February to reschedule any hearings. Chief Appraiser Steve Churchfield replied there is not.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 123-271-04 be upheld.

**04-326E HEARING NO. LT-1004 – RICHARD H. & SHARON L.
MULTANEN - PARCEL NO. 123-274-05**

A petition for Review of Assessed Valuation received from Richard H. and Sharon L. Multanen, protesting the taxable valuation on land and improvements located at 120 State Route 28, #19, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033 MDU and designated 021-condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but a letter from Attorney D. G. Menchetti requesting a continuance of the hearing, Exhibit A, was received.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Sparks noted that the Board has not granted any continuances because of the full calendar for this year.

Chairman Fox asked the Assessor again if there was any time left on the calendar between now and the end of February to reschedule any hearings. Chief Appraiser Steve Churchfield replied there is not.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 123-274-05 be upheld.

04-327E HEARING NO. LT-1017 – DANIELLE E. SAVY
PARCEL NO. 124-830-04

A petition for Review of Assessed Valuation received from Danielle E. Savy, protesting the taxable valuation on land and improvements located at 335 Cottonwood Court, #4, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 124-830-04 be upheld.

04-328E HEARING NO. LT-1212 – TYROLIAN PROPERTIES, LLC
PARCEL NO. 126-522-19

A petition for Review of Assessed Valuation received from Tyrolian Properties, LLC, protesting the taxable valuation on land and improvements located at 1323 Zurich Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 051-HDS and designated 021-condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Schmidt asked if the subject property has a view of mountains and whether there was an adjustment made in the base value for that. Appraiser Del Giudice indicated that it does have a view of mountains but they do not adjust upward for a V-M.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 126-522-19 be upheld.

04-329E HEARING NO. LT-1020 – ANDREW & BARBARA P. WHYMAN
PARCEL NO. 127-071-08

A petition for Review of Assessed Valuation received from Andrew and Barbara P. Whyman, protesting the taxable valuation on land and improvements located

at 170 Village Blvd., #11, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed and discussed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 127-071-08 be upheld.

04-330E HEARING NO. LT-1021 – DANIELLE SAVY
PARCEL NO. 127-071-17

A petition for Review of Assessed Valuation received from Danielle Savy, protesting the taxable valuation on land and improvements located at 170 Village Blvd., #27, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

In response to Member Sparks, Appraiser Del Giudice confirmed that there was a transfer of subject property in April 2001 for \$365,000; and the current taxable value is \$193,666.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 127-071-17 be upheld.

04-331E HEARING NO. LT-1213 – STEPHEN E. BACKHUS, TR.
PARCEL NO. 127-073-23

A petition for Review of Assessed Valuation received from Stephen E. Backus, Tr., protesting the taxable valuation on land and improvements located at 144 Village Blvd., #83, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-LDU and designated 021-condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was discussed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Sparks noted that all three of the comparable sales took place in 2003, and the Petitioner stated they are involved in litigation, which has caused a negative pressure on property values. He asked the Appraiser whether this litigation was still going on or if the repairs were being made during the sales period of 2003; and Appraiser Del Giudice indicated that the repairs were being made.

Member Schmidt commented that he was in agreement with some of the Petitioner's comments as to procedures, but noted that his taxable value is way below full cash value.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 127-073-23 be upheld.

04-332E HEARING NO. LT-1099 – OSCAR B. AND PAULA G. DAVID
PARCEL NO. 127-110-12

A petition for Review of Assessed Valuation received from Oscar B. and Paula G. David, protesting the taxable valuation on land and improvements located at 825 Southwood Blvd., #12, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Member Sparks commented that the Petitioner is asking for an explanation of the percentage increase, and noted that the Board has gone through that quite a few times because of the five-year reappraisal cycle.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 127-110-12 be upheld.

04-333E HEARING NO. LT-1199 – JOSEF SEIFERT
PARCEL NO. 127-250-32

A petition for Review of Assessed Valuation received from Josef Seifert, protesting the taxable valuation on land and improvements located at 861 Southwood Blvd., #31, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Member Obester noted that the Petitioner is stating that he does not understand why his improvements are going up because they should be going down due to depreciation. He stated the Board has already visited that issue, and the reason is because the cost of construction is increasing at a faster rate than the statutory of 1.5 percent per year for depreciation.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 127-250-32 be upheld.

04-334E HEARING NO. LT-1022 – JEAN BURKLEY-MOLINA
PARCEL NO. 127-300-33

A petition for Review of Assessed Valuation received from Jean Burkley-Molina, protesting the taxable valuation on land and improvements located at 123 Juanita Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Chairman Fox commented that the Petitioner talks about the methodology used by the Assessor; the Board has gone over that many times; and the Board has not been advised by anyone, other than the Appellants, that the Assessor's methodology is inappropriate. They have not been so advised by the State Board of Equalization, the Department of Taxation, the Tax Commission, or the Courts.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 127-300-33 be upheld.

04-335E HEARING NO. LT-1214 – ROBERT R. & BETTY A. MUNRO
PARCEL NO. 127-320-14

A petition for Review of Assessed Valuation received from Robert R. and Betty A. Munro, protesting the taxable valuation on land and improvements located at 136 Juanita Drive, #14, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-LDU and designated 021-condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Sparks noted the Petitioner's letter indicated that this is a condominium complex, and that the units are quite small and can't be added to. He asked the Appraiser if she used other condominium sales to support her taxable value of the subject property. Appraiser Del Giudice replied that condominium sales within the same complex are all that were used.

The Chairman closed the hearing.

Member Schmidt noted that there is a concern expressed regarding a lake view, but noted that there is no lake view attached to the property.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 127-320-14 be upheld.

04-336E HEARING NO. LT-984 – ALBERT A. & NANCY Y. MESCH, TR. -
PARCEL NO. 127-320-58

A petition for Review of Assessed Valuation received from Albert A. and Nancy Y. Mesch, Tr., protesting the taxable valuation on land and improvements located at 136 Juanita Drive, #58, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Member Schmidt asked the Appraiser to address the concern expressed in the letter with the location of the unit in the complex. Appraiser Del Giudice stated that she did not make an adjustment for traffic on Juanita Drive because, in her opinion, it is not a busy street. She then responded to the Petitioner's statement regarding his property facing the parking and the storage area and noted that the market does not recognize his concerns, as the comparable sale of Unit 49, at \$3109 per foot, also faces the parking lot and the storage area.

Member Sparks confirmed that the subject property is at \$110 per foot.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Schmidt asked the Appraiser if she had noticed any differences in sales throughout this complex that might be attributed to location within the complex. Appraiser Del Giudice responded that the sales have been fairly consistent.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried with Member Allison absent, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 127-320-58 be upheld.

04-337E HEARING NO. LT-1076A&B – DANIEL H. HILDEBRAND
PARCEL NOS. 127-361-17 & 127-362-05

A petition for Review of Assessed Valuation received from Daniel H. Hildebrand, protesting the taxable valuation on land and improvements located at 989

Tahoe Blvd., #43 and 989 Tahoe Blvd., #48, respectively, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-TC and designated condominiums.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Chairman Fox noted that in the letter the Petitioner requests to incorporate by reference into the record on appeal all the facts and testimony presented in the appeals of Incline Village properties for 2003-04 and 2004-05. He stated that the Board would not include anything that was not presented in this hearing today.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V. She then addressed the difference in the structure value and noted that one of Petitioner's units is an end unit and one is an inside unit which results in a different replacement cost.

Member Schmidt read paragraph 5 of the Petitioner's letter into the record, in which the Petitioner states there is a lack of equalization in the land. Member Schmidt stated that he was in absolute agreement with the Petitioner and would support a reduction on the basis of equalization to \$50,000 on the land.

Chairman Fox asked Appraiser Del Giudice whether she relied on the structures to arrive at the land value. The Appraiser responded that there are different base lot values, which were based on the median sale price of the different sized units. Chairman Fox confirmed that the Assessor relied on the sales prices.

Member Schmidt asked if the sales price is based upon the size of the units, which Appraiser Del Giudice also confirmed.

Chairman Fox stated that there is only one way to arrive at the taxable value of improvements in the State of Nevada and that is to cost them out according to Marshall & Swift and depreciate them at 1.5 percent per year for the age of the structures. He further stated that if there is an error made in doing that, or if that causes the total taxable value to exceed market value, then it can be adjusted, but there is no other way to arrive at improvement value.

Member Schmidt commented that the paragraph that was cited had nothing to do with the value of the structure, that it had to do with the value of the land; and that the Petitioner is pointing out that everyone owns an exact interest in the land, but some have a taxable value of \$50,000 and some are \$60,000, and that the Assessor has

testified that that is based on a difference in sales price of the entire unit, the land and the improvements, which difference is brought about because some of the land units have larger structures on them, therefore more square footage, therefore they sell for more. Member Schmidt respectfully submitted that is absolutely an inappropriate and perhaps illegal method of determining the value of the land; that each condominium holder holds an exact same interest in land, both the size of his footprint and the percentage interest in the common; and it is the clearest and most distinct example of the lack of equalization one could ever create.

Chairman Fox stated that it is not that clear and exact, that they have the same undivided interest in the land, but their location, whether they have a view, if they are close to the raccoons, or other things can affect the value of their unit and therefore the value of their land.

Member Schmidt noted that was true, but stated the Assessor testified that she took none of those factors into account and what she took into account was the sales price of the unit, which he stated he believes is totally related.

Chairman Fox stated that it was the Appraiser's testimony that she took the sales prices and allocated the portion of that sales price and that is how she arrived at the land value.

2:15 p.m. Member Allison returned to the meeting.

Member Schmidt asked the Appraiser whether she had noticed in her evaluation of the sales prices if the larger units sold for more money than the smaller units. Appraiser Del Giudice stated that the median of the larger units is 20 percent higher than the smaller units.

The Chairman closed the hearing.

Member Schmidt moved to reduce the taxable value of the land by \$10,000 to \$50,000 on the basis of equalization. The motion died for lack of a second.

Member Schmidt moved to uphold the Assessor's taxable values and that the Board properly notice all condominium owners in this unit that have land with a taxable value of \$50,000 that the Board intends to conduct a hearing upon proper notice with the intention of raising their taxable land value to \$60,000. The motion died for lack of a second.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no," and Member Allison abstaining, it was ordered that the taxable value of land and improvements on Parcel Nos. 127-361-17 and 127-362-05 be upheld.

04-338E HEARING NO. LT-1077 – ALVYN L. AND MARTHA L. RICHARDS, TR. - PARCEL NO. 127-420-07

A petition for Review of Assessed Valuation received from Alwyn L. and Martha L. Richards, Tr., protesting the taxable valuation on land and improvements located at 875 Southwood Blvd., #7, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, and V.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox noted that one of Petitioner's reasons for appealing is that the Assessor has used improper methods, but there is no substantiation as to why those methods are improper.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 127-420-07 be upheld.

04-339E HEARING NO. LT-1282 – LAKE LUCERNE LTD. PARTNERSHIP PARCEL NO. 127-500-02

A petition for Review of Assessed Valuation received from Lake Lucerne Limited. Partnership, protesting the taxable valuation on land and improvements located at 929 Southwood Blvd., #23, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, with Member Obester abstaining, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 127-500-02 be upheld.

04-340E HEARING NO. LT-1027 – JOE AND HEIDI SHEKOU
PARCEL NO. 130-180-41

A petition for Review of Assessed Valuation received from Joe and Heidi Shekou, protesting the taxable valuation on land and improvements located at 120 Country Club Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048 MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property, reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Chairman Fox commented that item 4 in the letter asks the Board to incorporate by reference into the record on appeal all of the facts and testimony presented in the appeal of Incline Village properties for both the 2003/2004 and 2004/1005 assessments. He stated the Board would not include anything in the record that was not presented here today at this hearing. Chairman Fox stated the Petitioner is also requesting a refund and noted the Board does not have jurisdiction over refunds.

Member Sparks noted that the Petitioner claims that the Assessor used arbitrary view classifications, inappropriate time adjustments, and illegal use of teardowns. He asked Appraiser Del Giudice whether she used a view classification on this valuation, whether she used any time value adjustments, or if there was any use of teardowns. The Appraiser stated she did not.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-180-41 be upheld.

A petition for Review of Assessed Valuation received from Joyce D. Grunauer, protesting the taxable valuation on land and improvements located at 999 Lakeshore Blvd., #13, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property, reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board discussed. The Chairman noted the Petitioner asserts that she was not given proper notice of the hearing, that she did not receive information she requested from the Assessor, and that the use of teardowns as a method of evaluating property is not permitted by statute or regulation. He stated these issues have been brought up by many of the Incline Village property owners, and it has been determined that the Board has no jurisdiction over those issues.

The Petitioner also raised the issues of location, view, and proximity to Lake Tahoe. In response to Board members' questions, Appraiser Del Giudice advised that the land values in the subject complex range from \$297,000, for those closest to the street, up to \$460,000 as they get closer to the lake. She also stated teardowns were not used to value subject, nor was view a consideration.

The Chairman closed the hearing.

Member Sparks commented that number 10 in the letter says, "I appeal all of the facts and testimony presented in the appeals of Incline Village properties for 03-04 and 04-05," and added that he did not feel the Petitioner could appeal all of them, but that it was interesting terminology. Member Sparks further commented that number 12 in the letter says, "Each appeal is permitted an average of seven and a half minutes a time. This is not enough time to have my case presented either in person or by letter, for the Assessor to present his case, for the Board to discuss the appeal, or for a vote of the Board." Member Sparks clarified that the Board has been discussing this hearing for over 10 minutes, and that most of the hearings this morning took an average of between 35 and 55 minutes. Member Sparks emphasized that there are no time limits for appeals, and the Board gives each Petitioner adequate time to make their presentation.

Member Schmidt commented that being the most experienced person here, having appeared before this Board 26 times and having the experience of being a Board member for the partial season, he assured the public that this Board has been more considerate and generous with time than any other County Board of Equalization he has

ever appealed to before or observed, and stated that he appreciates that consideration from his fellow Board members.

Member Schmidt stated that after viewing the letter he finds that all the allegations and concerns expressed in the letter have either been considered by the Assessor, are not supported by evidence, are not relevant to this particular hearing, or are beyond the purview of this Board.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-221-13 be upheld.

04-342E HEARING NO. LT-1200 – HELEN B. MAPE
PARCEL NO. 130-222-30

A petition for Review of Assessed Valuation received from Helen B. Mape, protesting the taxable valuation on land and improvements located at 999 Lakeshore Blvd., #57, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated 021-condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Member Schmidt asked if there are any garages in this complex, and Appraiser Del Giudice stated that there are no garages or carports. Chairman Fox noted the issues of the amount of the increase in value and the Assessor's methods have been addressed in many other hearings.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-222-30 be upheld.

04-343E HEARING NO. LT-1030 – ANTONIO R. AND SUSAN B. ABIOG
PARCEL NO. 131-140-06

A petition for Review of Assessed Valuation received from Antonia R. and Susan B. Abiog, protesting the taxable valuation on land and improvements located

at 930 Fairway Park, #6, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044 LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter to the Assessor, Exhibit A, requesting appraisal records, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 131-140-06 be upheld.

04-344E HEARING NO. LT-577 – GLEN D. SIWARSKI
PARCEL NO. 132-030-25

A petition for Review of Assessed Valuation received from Glen D. Siwarski, protesting the taxable valuation on land and improvements located at 801 Northwood Blvd., #25, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, and V.

The Chairman closed the hearing.

Chairman Fox noted for the record that Petitioner's letter is not a letter to the Board, but rather to Mr. McGowan, the County Assessor.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-030-25 be upheld.

04-345E HEARING NO. LT-580 – JOHN A. & KATHRYN A. HUGHES
PARCEL NO. 132-042-06

A petition for Review of Assessed Valuation received from John A. and Kathryn A. Hughes, protesting the taxable valuation on land and improvements located at 807 Alder Avenue, #12, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board. The letter stated the property owners would not be able to appear at the hearing. Chairman Fox read the letter into the record.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property, reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-042-06 be upheld.

04-346E HEARING NO. LT-581 – ARVONNA HUDSON, TR.
PARCEL NO. 132-051-12

A petition for Review of Assessed Valuation received from Arvonna Hudson, Tr., protesting the taxable valuation on land and improvements located at 807 Alder Avenue, #39, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Sparks noted the adverse factors brought up in the Petitioner's letter and asked the Appraiser to respond to the issues. Appraiser Del Giudice stated there are other transformers located on condominium parcels and one of the comparable sales would also be affected by the transformer. As to the school, the busy street and traffic problems, the Appraiser stated the subject unit is an interior unit and not located next to the street.

Member Obester commented that all of the other comparable sales would be subject to the same influences as the subject.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-051-12 be upheld.

04-347E HEARING NO. LT-890 – LOUIS J. STEFANCICH, ET AL.
PARCEL NO. 132-051-17

A petition for Review of Assessed Valuation received from Louis J. Stefancich, protesting the taxable valuation on land and improvements located at 807 Alder Avenue, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox noted the Petitioner alleges that the Assessor's methods have not been approved by the Tax Commission, and stated that the Tax Commission has not notified the Board of any lapses in their regulations.

Member Obester commented that many of these letters have stated that the Appraiser failed to realize a difference in the value of the land owned in common with others and that of single-family residential properties. He said he is not sure he agrees with that, because he finds that the condominiums are consistently appraised at a lower ratio of taxable value to market value than the single-family residences are, so perhaps the Assessor has made some compensation for this.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-051-17 be upheld.

**04-348E HEARING NO. LT-812 – DOUGLAS F. AND JANE R. HATTON,
TR. - PARCEL NO. 132-062-01**

A petition for Review of Assessed Valuation received from Douglas F. and Jane R. Hatton, Tr., protesting the taxable valuation on land and improvements located at 929 Northwood Blvd., #52, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044 LDU and designated condominium.

Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board. Member Obester commented that it appears the Petitioner wants to protest last year's taxes that are not being heard at this time.

Chairman Fox mentioned that the letter includes the stock comment that the methods have not been approved by the Tax Commission. Chairman Fox asked legal counsel if it was necessary to comment on that any further for the record and was advised that it was not. Chairman Fox stated that the Tax Commission has not notified the Board of any lapses.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V. She added that the Petitioner stated he has a view class 5 and she is unaware where he got that information, because there are no view classifications in this complex.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-062-01 be upheld.

04-349E HEARING NO. LT-590 – ABRAHAM AND AUDREY KOOL
PARCEL NO. 132-063-24

A petition for Review of Assessed Valuation received from Abraham and Audrey Kool, protesting the taxable valuation on land and improvements located at 929 Northwood Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit I, pages 1 through 5, and oriented the Board as to the location of subject property.

Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-063-24 be upheld.

04-350E HEARING NO. LT-1175 – MICHAEL AND PAULA McCOMBIE
PARCEL NO. 132-062-34

A petition for Review of Assessed Valuation received from Michael and Paula McCombie, protesting the taxable valuation on land and improvements located at 929 Northwood Blvd., #35, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V. Appraiser Del Giudice addressed Petitioner's comments made on the petition about being out of equalization, alleging that Units 36 and 40 are larger units and pay less taxes than she

does. The Appraiser stated the taxable value for unit 36 is \$173.00 per square foot and unit 40 is \$164.00 per square foot; and the subject parcel is \$163.00 per square foot.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-062-34 be upheld.

Member Schmidt noted that he abstained because he believed the letter package was incomplete.

04-351E HEARING NO. LT-592 – SHARON J. HILL
PARCEL NO. 132-064-17

A petition for Review of Assessed Valuation received from Sharon J. Hill, protesting the taxable valuation on land and improvements located at 929 Northwood Blvd., #109, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter and photographs, Exhibit A, which were reviewed by the Board. Chairman Fox noted that the letter is actually to the Treasurer, and there doesn't seem to be anything in it that would indicate any reason the Board should change the valuation.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Member Schmidt commented the Petitioner included copies of photos showing an old view and a new view, and he noted there is no view value attached to this parcel.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-064-17 be upheld.

04-352E HEARING NO. LT-970 – MICHAEL BARTHOLOMEW
PARCEL NO. 132-191-05

A petition for Review of Assessed Valuation received from Michael Bartholomew, protesting the taxable valuation on land and improvements located at 751 Tahoe Blvd., #15, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox noted the Petitioner requests the letter be read aloud, but the Board will not do that because everyone has the letter and has read it.

Legal Counsel Watts-Vial noted that this, and all other letters whether or not they have been read aloud, is part and parcel of the record, as the taxpayers have requested. He stated there is nothing that requires the Board to read them out loud to make them part of the record; they are part of the record; and the Clerk has copies and they have been attached as exhibits, which was confirmed by the Clerk.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

In response to Member Schmidt, Appraiser Del Giudice stated she had visited the site.

Member Allison noted that the subject property was sold to the Petitioner in July of 2002 for \$114,000, and the current total taxable value is \$43,989, which is less than half. Appraiser Del Giudice concurred.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-191-05 be upheld.

04-353E HEARING NO. LT-609 – ALAN Y. AND GWENDOLYN
SCHAEVITZ, TR. - PARCEL NO. 132-510-02

A petition for Review of Assessed Valuation received from Alan Y. and Gwendolyn Schaevitz, Tr., protesting the taxable valuation on land and improvements

located at 846 Southwood, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox noted that in the fourth paragraph there is a question of range and values and asked the Assessor to address the issue.

Appraiser Del Giudice stated the subject property is a free-standing condominium, and the median sales price within this complex was \$450,000. She stated the other properties the Petitioner referred to are mostly the four-plexes, for which they used a multi-family land value of \$65,000 per unit.

Member Obester noted that comparable sale CND 1295 was a resale about two years later, and asked what the time period increase would have been. Appraiser Del Giudice indicated that it would be a 19.6 percent increase, which, when divided by 25 months, would be .78 percent or about an eighth of a percent.

Chairman Fox noted that it would be approximately three-quarters of one percent per month during that time period. He also noted that on the sales sheet, the subject property was bought in the year 2000 for \$440,000.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Member Allison commented that the sale to the Petitioner in May of 2000 for \$440,000 is still in excess of the current taxable value of \$357,458.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-510-02 be upheld.

04-354E HEARING NO. LT-815 – GEOFF AND VERLYN W. MCGILVRAY
PARCEL NO. 132-360-02

A petition for Review of Assessed Valuation received from Geoff and Verlyn W. McGilvray, protesting the taxable valuation on land and improvements located at 216 Robin Drive, #2, Incline Village, Washoe County, Nevada, was set for

consideration at this time. The property is zoned 046-MDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox noted that the letter was dated in December, addressed to the Assessor, and requested appraisal information. He asked the Assessor if their records show the request for information; and if so, what they did about it.

Appraiser Del Giudice stated that they mailed the information to the Petitioner on January 5th. Appraiser Del Giudice reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 132-360-02 be upheld.

04-355E HEARING NOS. LT-1187, -1164, -247, -248, -249, -710, -250, -837, -1169, -1170

Member Sparks noted that there were nine hearings recommended for reductions by the Assessor and asked the Clerk to pull those from the balance of the consolidated hearings. He suggested the Clerk read each of the hearing numbers and property owners' names, and then the Assessor read their recommended reductions into the record.

Chairman Fox stated he would consider that a motion and asked for a second. Member Allison seconded the motion, the motion duly carried, and it was ordered that the Board would look at all the recommended reductions by the Assessor, and allow the Assessor to reference them by exhibit number.

The hearings were then called by the Clerk. No one was present representing the Petitioners.

Chairman Fox clarified the record stating these are parcels that were appealed and the Assessor is recommending reductions in values. He stated there is no information from the Petitioners whether they agree or not with the recommendations.

Appraiser Del Giudice stated that the Assessor would stand on their written presentation, including Exhibits I, II, III, and V, and stated that Exhibit III contains their written recommendation.

Chairman Fox asked if all Board members had sufficient time to review the recommendations, and all answered affirmatively except for Member Obester who stated that he would be abstaining from the vote.

Chairman Fox closed the hearing.

Member Allison made a motion to adjust the Assessor's appraisals by the recommended amounts stated on each case, based on the evidence presented by the Assessor's Office and the Petitioners. She further stated she finds that the land and improvements are valued correctly, and the total taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits I, II, III, and V.

Member Sparks seconded the motion, the motion duly carried with Member Obester abstaining, and it was ordered to adjust the Assessor's appraisals by the recommended amounts of each as shown on Exhibit III, which resulted in the following changes:

Item #/Hearing #	Petitioner	Parcel No.
04-355E LT-1187	Three Oaks Partnership	122-060-06
Per the Assessor's recommendation, it was ordered that the taxable value of land on Assessor's Parcel No. 122-060-06 be reduced to \$247,500 and that the taxable value of the improvements be upheld, for a total taxable value of \$297,288. The reduction was based on equalization in that the Board previously reduced the land value of other units in subject complex ten percent due to a sewer pumping station located on the property.		
04-356E LT-1164	Robert E. Goff, Tr.	122-530-31
Per the Assessor's recommendation, it was ordered that the taxable value of the land on Assessor's Parcel No. 122-530-31 be upheld and that the taxable value of the improvements be reduced to \$126,609, for a total taxable value of \$756,609. The reduction was based on reducing the quality class of the improvements from 4.5 to 4.0.		
04-357E LT-247	LCD Bitterbrush, LLC	126-292-52
Per the Assessor's recommendation, it was ordered that the taxable value of the land on Assessor's Parcel No. 126-292-52 be reduced to \$155,000, the purchase price of the subject in May 2003.		
04-358E LT-248	LCD Bitterbrush, LLC	126-292-53
Per the Assessor's recommendation, it was ordered that the taxable value of the land on Assessor's Parcel No. 126-292-53 be reduced to \$155,000, the purchase price of the subject in May 2003.		
04-359E LT-249	Lynn L. and Melody A. Fetterly, Tr.	126-292-54
Per the Assessor's recommendation, it was ordered that the taxable value of land on Assessor's Parcel No. 126-292-54 be reduced to \$155,000, the purchase price of the subject in May 2003.		

04-360E LT-710	Lynn L. and Melody A. Fetterly, Tr.	126-292-55
Per the Assessor's recommendation, it was ordered that the taxable value of land on Assessor's Parcel No. 126-292-55 be reduced to \$155,000, the purchase price of the subject in May 2003.		
04-361E LT-250	Lynn and Melody A. Fetterly, Tr.	126-292-62
Per the Assessor's recommendation, it was ordered that the taxable value of the land on Assessor's Parcel No. 126-292-62 be reduced to \$155,000 and that the taxable value of the improvements be upheld, for a total taxable value of \$531,051. The reduction was based on comparable vacant land sales.		
04-362E LT-837	Lake Country Development	126-293-65
Per the Assessor's recommendation, it was ordered that the taxable value of the land on Assessor's Parcel No. 126-293-65 be reduced to \$155,000 and that the taxable value of the improvements be upheld, for a total taxable value of \$531,051. This reduction was based on comparable vacant land sales.		
04-363E LT-1170	N. Wayne and Beverly S. Hughes	126-570-08
Per the Assessor's recommendation, it was ordered that the taxable value of land on Assessor's Parcel No. 126-570-08 be reduced to \$202,500 and that the taxable value of improvements be upheld, for a total taxable value of \$383,690. This reduction was based on an interior inspection of the subject and a reassessment of the view classification from 5.0 to 4.5		

04-364E **HEARING NOS. LT-1002, -1038, -1162, -1163, -1005, -979, -1015, -1284, -1016, -957, -960, -900, -1279, -1123, -1151, -1003, -1274, -1050, -1019, -997, -1081, -1080, -1122, -1079, -1152, -1121, -1051, -1008, -1100, -962, -983, -1078, -1254, -1024, -1256, -964, -1117, -1204, -484B, -973, -574, -575, -576, -811, -968, -578, -579, -926, -1011, -927, -928, -929, -582, -583, -584, -866, -585, -930, -446, -1031, -1160, -586, -587, -1206, -589, -588, -1285, -1012B, -591, -992, -593, -594, -867, -595, -596, -602, -603, -813, -814, -604, -993, -605, -606, -836, -267B, -607, -608, -1207, -481, -972**

Chairman Fox asked the Clerk, pursuant to the earlier consolidation motion, to call all remaining hearings, which fall into the category of having no letter, no one present, and nothing on the petition other than the standard language.

The Clerk of the Board individually called the above-referenced hearings by hearing number, property owner's name and parcel number. Chairman Fox again noted that there was no one present to represent the Appellants. He then asked the Assessor if they had any additional information to present.

Cori Del Giudice, Appraiser, duly sworn, stated the Assessor would stand on their written presentation submitted and contained in Exhibits I, II, III, V, and XIX, which she then handed out to the Board.

No Petitioners were present and no evidence was submitted to the Board.

Member Allison pointed out that all of the remaining petitions show their land and building values as unknown and state that the valuation methods are not supported by statute or regulations. She further noted that all of these appellants indicated they would supply additional information at the hearing, but nothing has been presented.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits as evidenced by Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Assessor Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-1002	Joseph W. Jr. and Roberta M. Carcione	122-080-21
LT-1038	Susan Lynnes-Parks	122-510-01
LT-1162	Richard S. and Lynn D. Cusac	122-530-23
LT-1163	Donna L. Goff	122-530-30
LT-1005	Ann M. Fuetsch	124-340-15
LT-979	Karen A. Cogswell	124-340-20
LT-1015	Bill G. and Jeannine Mitchell	124-340-31
LT-1284	Richard and Daryl Mancinelli	124-400-12
LT-1016	Gerald E. and L. Carol Picolla	124-500-04
LT-957	Stan C. Wolken	125-472-09
LT-960	Stan C. Wolken	125-850-01
LT-900	Heidi E. Wolken	125-850-02
LT-1279	Mark T. Rex	126-082-06
LT-1123	Ralph W. Schweigert	126-082-23
LT-1151	Earl H. Bishop, Tr.	126-151-11
LT-1003	Joseph W. Jr. and Roberta M. Carcione	126-151-29
LT-1274	Armen and Nelly Der-Kiureghian	126-152-25
LT-1050	Kenneth and Suzanne Bourgault	126-171-11
LT-1019	Anthony E. and Linda L. Flynn	126-293-05
LT-997	James and Gail A. Dibenedetto	126-293-26
LT-1081	Klaus G. and Barbara G. Bensch, Tr.	126-302-08
LT-1080	John S. and Lorey M. Baldwin	126-450-08
LT-1122	Andrew and Louise Merchant	126-470-04
LT-1079	Lyle and Sally Sechrest, Tr.	127-073-20
LT-1152	Peter C. and Linda D. Woglom, Tr.	127-074-05
LT-1121	Twi Trust	127-131-15
LT-1051	James C. Mulaney	127-132-30
LT-1008	Kenneth D. and Louise Peschel	127-250-14
LT-1100	Charles F. Jr. and Susan A. Kalb	127-300-21

LT-962	Jerome B. and Carol R. Fischenich, Tr.	127-300-25
LT-983	Thomas H. and Lorena M. Bullock	127-300-67
LT-1078	Bruce and Mimi Komito	127-362-12
LT-1254	Daniel S. Oyler	128-120-10
LT-1024	Dr. James P. and Deena G. Behnke	129-650-09
LT-1256	Terry M. Henricks	130-383-02
LT-964	Sharon Suzann Benton	131-021-19
LT-1117	Scot H. Sherman	131-122-07
LT-1204	Mark A. and Esther L. Stevaert, Tr.	131-032-03
LT-484B	William E. Jr. and Marie Nasser, Tr.	131-430-11
LT-973	Helene A. Girard, Tr.	132-030-01
LT-574	Dorothy B. Reinke	132-030-05
LT-575	Jane E. Kystad	132-030-09
LT-576	Valentina A. Waddell	132-030-12
LT-811	Claire Linthicum-Cobb, Tr.	132-030-23
LT-968	Gerald and Victoria Cayton	132-030-26
LT-578	Frank M. and Elizabeth A. Pugliese	132-030-36
LT-579	Frank M. and Elizabeth A. Pugliese	132-030-40
LT-926	Charles Okita, et al., Tr.	132-030-70
LT-1011	Norma Rodriguez	132-030-73
LT-927	Ronald K. and Stephanie D. Van Airsdale	132-041-06
LT-928	David G. and Judith M. Simon	132-042-02
LT-929	David G. and Judith M. Simon	132-042-03
LT-582	David L. Nuoffer	132-051-20
LT-583	Rick Bergess	132-052-15
LT-584	Gloria A. and Leonard J. Harpenau	132-053-13
LT-866	Carleton Kevin Sampson	132-053-16
LT-585	Ute A. Cordova	132-054-03
LT-930	Jerome P. Mazzaferro, et al.	132-054-06
LT-446	David A. and Ofelia Smith	132-054-09
LT-1031	Louis L. Smith, Jr.	132-054-16
LT-1160	Richard E. Sr. and Nancy L. Szesny, Tr.	132-062-10
LT-586	Thomas S. Treuhaft	132-062-15
LT-587	Florine B. Kubel	132-062-16
LT-1206	Rosalina J. Que, et al.	132-062-25
LT-589	David M. and Janice M. Brazil	132-063-23
LT-588	Howard M. and Joan G. Jaffe, Tr.	132-062-27
LT-1285	John H. and Marsha Bell	132-063-13
LT-1012B	Richard A. Bento	132-063-27
LT-591	Steven M.C. Lum	132-063-28
LT-992	Donald and Jody A. Schindler	132-063-33
LT-593	Charles L. Green	132-064-30
LT-594	Graham H. II and Alda E. McPhail	132-065-04
LT-867	John R. and Dolores M. Thornhill, Tr.	132-065-09
LT-595	Richard and Dawn Devereaux	132-065-12

LT-596	Susan D'Ascoli	132-066-35
LT-602	William R. and Paulette Cash, Tr.	132-251-14
LT-603	Joe R. Padilla, Tr.	132-251-26
LT-813	Edward S. Kinney	132-251-37
LT-814	Robert Lober	132-252-12
LT-604	Frank J. Bottarini, Tr.	132-252-25
LT-993	William W. and Suzanne Cable, Tr.	132-252-27
LT-605	Robert L. and Lisa S. McNelly	132-270-01
LT-606	William C. Loos, et al.	132-280-12
LT-836	Carlos and Betty P. Gonzalez, Tr.	132-290-04
LT-267B	Kamran Bahar	132-310-01
LT-607	Frank and Elizabeth Pugliese	132-410-01
LT-1207	Algerd and Barbara Monstavicius	132-490-02
LT-481	Tarra D. Clemo	132-560-30
LT-972	Edward L. Gallagher, Jr.	132-560-32
LT-608	Emerson A. and Rosita E. Sobrepena, Tr.	132-410-09

PUBLIC COMMENTS

Gary Schmidt pointed out that Nevada Administrative Code 361.624 provides that the County Board of Equalization **shall** seek to equalize taxable valuation within the geographic vicinity of the subject property as well as the whole county. He also noted that all of the Board members are sworn to abide by State statutes and other related laws, including the Nevada Administrative Code.

There was no response to the call for public comments.

4:00 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 12, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Lori Rowe and Sharon Gotchy,
Deputy Clerks*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

THURSDAY

9:00 A.M.

FEBRUARY 12, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Gary Schmidt, Member
Steven Sparks, Member
Jon Obester, Member

Nancy Parent, Chief Deputy Clerk
Peter Simeoni, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on February 11, 2004, in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petition scheduled on today's agenda has been withdrawn by the Petitioner:

Hearing No. LT-421, Cecil W. & Betty F. Toole, Parcel No. 130-213-11

DISCUSSION AND ACTION – POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board would first consider the hearings where Petitioners are present, then consider any petitions where a letter or additional information was submitted, and then any remaining hearings that assert the same or similar reason(s) for the appeal would be consolidated.

9:00 A.M. - BLOCK

Chairman Fox explained the order of the day to the Petitioners that were present. He read information from the Nevada Department of Taxation instructions to petitioners. He clarified that the Board of Equalization hears evidence and testimony from taxpayers who believe their assessed value is incorrect and the Assessor explains why they believe the assessed value is correct. The Board weighs the two presentations and, based on the evidence presented at the hearing, makes a decision as to whether or not the Assessor's taxable value is correct. Any decision by the Board can be appealed to the State Board of Equalization, and the forms are available at each meeting. Chairman

Fox read the directions that accompany the petitions from the State Board of Equalization. He emphasized that the Board does not hear tax issues and is unable to do anything about taxes.

04-365E HEARING NO. LT-485 – JANE SHEFFIELD
PARCEL NO. 130-161-12

A petition for Review of Assessed Valuation received from Jane Sheffield, protesting the taxable valuation on land and improvements located at 1069 Flume Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Jane Sheffield, Petitioner, was sworn, submitted a letter, Exhibit A, which was reviewed by the Board, and testified that she has a limited income and taxes are hurting her. She requested justification of the assessment and of the Assessor's mass appraisal system.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII.

Member Allison asked why the Assessor does mass appraisals. Appraiser Sauer advised they use mass appraisal because of the volume of properties. The State of Nevada mandates that every property in the County must be reappraised every five years. Member Sparks asked about base lot values in Miller Creek. Appraiser Sauer stated the values for this portion of Mill Creek had been reduced recently. Member Schmidt asked if individual property inspections are conducted when an appeal is filed or if a property owner requested same. Appraiser Sauer stated that was true.

Petitioner Sheffield had no rebuttal.

The Chairman closed the hearing.

Members Obester and Schmidt thanked the petitioner for coming to the Board. Member Schmidt suggested that she go to the State Legislature to discuss property tax rates.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-161-12 be upheld.

04-366E HEARING NO. LT-1186 – WAYNE P. & SALLY K. FISCHER, TR.
- PARCEL NO. 130-162-10

A petition for Review of Assessed Valuation received from Wayne P. and Sally K. Fischer, Tr., protesting the taxable valuation on land and improvements located at 250 Pelton Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated 020/single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Wayne Fischer, Petitioner, previously sworn (2/9/04), submitted a letter, Exhibit A, which was reviewed by the Board. Petitioner Fischer testified that it is really the land values that are in contention, and he requested the house and land values be separated when the Board makes its statement that "the taxable value does not exceed market value." He stated what the Board is doing by saying the total taxable value does not exceed fair market value is effectively raising the land values.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII.

Petitioner Fischer had no rebuttal. Chairman Fox asked Mr. Fischer if he read and signed the appeal. He said he did. The Chairman pointed out that it states on the petition form that "the total property value may also be reviewed to determine if taxable value exceeds the full cash value of the property." Member Sparks read from the Nevada Revised Statutes (NRS), stating that land and property are used for total tax assessment, not separated, and stated that is what the Board is governed by. He further stated that most improved sales sell as a unit, so it is appropriate to look at the total value. Member Schmidt suggested the petitioner attend the State workshop on tax assessment on February 26, 2004. Legal Council Simeoni agreed that the Board is following the State law in property tax assessment.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, with Member Sparks voting "no," which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-162-10 be upheld.

04-367E HEARING NO. LT-380 – JANE A. SIEGRIST
PARCEL NO. 130-162-14

A petition for Review of Assessed Valuation received from Jane A. Siegrist, protesting the taxable valuation on land and improvements located at 1065 Sawmill Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Jane A. Siegrist, Petitioner, was sworn, submitted a letter, Exhibit A, which was reviewed by the Board, and testified that she believes two adverse factors were not considered in assessing her land value. The noise from Highway 28 and the slope of her lot should be considered as an adverse factors for her land value. She said her property is only 200 feet from the highway and about 24 feet away from homes that were reduced because of the highway noise. Petitioner Siegrist said her lot is also sloping, which minimizes her privacy.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII. Member Sparks had questions regarding the slope of her lot in comparison to the slope of the lots across the street. Member Schmidt asked about deductions for noise for proximity to Highway 28. Appraiser Sauer said the lots that back up to Highway 28 received a 5 percent reduction.

In rebuttal, the Petitioner emphasized that all the lots on Sawmill are impacted by the highway noise, that lots on her side of the street are not as level as those across the street, and she believes she deserves a reduction because of these adverse factors.

Chairman Fox noted the name of the community is "Incline Village" and there are sloping lots everywhere. Member Schmidt agreed consideration should be given to the noise factor.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors were not considered by the Assessor, on motion by Member Schmidt, seconded by Member Sparks, with Member Obester voting "no," which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 130-162-14 be reduced to \$304,000.00, that the taxable value of the improvements be upheld, for a total taxable value of \$496,489.00. The Board also found that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

A petition for Review of Assessed Valuation received from Bruce and Mimi Komito, protesting the taxable valuation on land and improvements located at 1073 Sawmill Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated 020/single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Bruce Komito, Petitioner, was sworn, submitted comparable sales, Exhibit A, and testified that he was appealing both the land and improvement values on his assessment. He stated he is also affected by noise from Highway 28 and a sloping lot, just as the previous petitioner. He reviewed his Exhibit A, showing his values and average increases compared to the average increases of properties that sold and resold; and he found that the rate of market value increase in his area did not match that of the Assessor's office. Petitioner Komito stated they purchased the property in 1997 and actually did a complete teardown of the old structure and rebuilt. Chairman Fox explained the Marshall-Swift method of calculating the value of the improvements.

Appraiser Sauer explained the difference in assessment from 2001 to 2002 was based on percentage of completion on the house. He reviewed sales of comparable properties substantiating that the total taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII.

In rebuttal, the Petitioner questioned the rate of increase in values.

The Chairman closed the hearing.

Member Allison noted the new house has a large basement, which none of the comparable sales had. Member Schmidt said the improvement values are well below the market value, but he was concerned about the noise from Highway 28.

Based on the FINDINGS that adverse factors were not considered by the Assessor, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 130-162-17 be reduced to \$304,000.00, that the taxable value of the improvements be upheld, for a total taxable value of \$744,542.00. The Board also found that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

HEARING NO. LT-1255 – W.T. & MARLIS HOFMANN, TR.
PARCEL NO. 130-163-15

A petition for Review of Assessed Valuation received from W.T. and Marlis Hofmann, Tr., protesting the taxable valuation on land and improvements located at 1052 Sawmill Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He noted the subject property does back up to Highway 28.

William Hofmann, Petitioner, was sworn and testified that he questions the land value based on the noise and fumes from Highway 28, and he does not believe a five percent adjustment is enough. He stated they can no longer even sit outside because of the smell of diesel from all the trucks and he thinks another five percent is warranted.

Members Obester and Schmidt asked questions about the speeds and amount of traffic on Highway 28.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII.

Member Sparks noted there have been numerous sales on Highway 28 and asked Appraiser Sauer about the comparable sales on Exhibit III. He also asked if any comparison studies had been done on whether the sales one lot in from the highway were affected by their proximity to Highway 28. Appraiser Sauer stated they have not done such a study. Member Sparks stated looking at the sales in Exhibit 18, there does not seem to be much of a difference in the square foot prices.

Member Schmidt questioned whether five percent was enough of a reduction to recognize the traffic impacts.

The Petitioner stated he had no rebuttal.

The Chairman closed the hearing.

Member Schmidt said that the percentage adjustment for traffic duress should be higher for properties right on Highway 28 and moved to reduce the current land value of the subject property by ten percent. The motion died for lack of a second.

Member Sparks commented on the comparable sales and noted it does not appear that the sales prices are impacted regardless of the proximity to Highway 28.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-163-15 be upheld.

Member Schmidt asked that the Assessor's Office look closer at the impact of Highway 28 on the properties in this area for equalization.

04-370E HEARING NO. LT-1118 – TERRENCE G. & MARILYN R. ACKERET, TR. - PARCEL NO. 130-203-11

A petition for Review of Assessed Valuation received from Terrence G. and Marilyn R. Ackeret, Tr., protesting the taxable valuation on land and improvements located at 1064 Mill Creek Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Terrence Ackeret, Petitioner, was sworn and testified that he is requesting a reduction because of his topography and huge boulders on his lot. He said the house just to the west of his property is approximately 20 feet higher than his and it is going to be very expensive to comply with the Tahoe Regional Planning Agency (TRPA) Best Management Practices (BMP's).

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII. He advised that BMP requirements are based on water drainage around a home, and they must be done before a property is sold. He further stated it is an effort to get water to drain through the soil so it is purified before it gets to the Lake; and, on a house such as the subject, it would probably cost around \$2,000 to \$3,000.

In rebuttal, the Petitioner stated because his lot is not level, it is going to take heavy equipment to do his BMP's. Chairman Fox asked if the Petitioner had any cost estimates or an engineering study for the work. Petitioner Ackeret stated he did not.

The Chairman closed the hearing.

Member Sparks suggested the petitioner and Assessor's office get together to check on the costs for the work to make the lot BMP compliant.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded

by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-203-11 be upheld.

04-371E HEARING NO. LT-403 – JAMES L.& LORA KELLY, TR.
PARCEL NO. 130-203-21

A petition for Review of Assessed Valuation received from James L. and Lora Kelly, Tr., protesting the taxable valuation on land and improvements located at 1075 Oxen Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated 020/single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Jim Kelly, Petitioner, was sworn, submitted a letter, Exhibit A, which was reviewed by the Board, and testified that he is appealing the lot value based on the slope of their lot. He said they have a 20-foot drop from the street to the back of the lot. He also said he had to build a very long driveway all the way across the lot to accommodate for the steepness of the slope, which took up a lot of his coverage.

Member Sparks asked if the garage is a one-car garage. Petitioner Kelly stated it is a three-cars garage. Member Sparks stated that would mean the driveway needed to be 900 feet, and the subject driveway is about 1,300 feet.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, XIV and XVIII. He stated adjustments were made for steep lots in Mill Creek, but the subject property was not deemed steep enough to warrant a reduction.

Member Sparks asked about similar driveways in the neighborhood to adjust for the slope. Appraiser Sauer said this was a fairly typical occurrence in the area.

The Petitioner's rebuttal consisted of his concern about the lot steepness and the length of the driveway.

The Chairman closed the hearing.

Member Schmidt noted the frontage of the lot is a bit larger for the area and makes up for the amount of space for the driveway. He thanked the petitioner for coming to the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded

by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-203-21 be upheld.

04-372E HEARING NO. LT-773 – NELSON B. & CHERIE MCAFEE, TR.
PARCEL NO. 130-211-27

A petition for Review of Assessed Valuation received from Nelson B. and Cherie McAfee, Tr., protesting the taxable valuation on land and improvements located at 175 Mayhew Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Nelson McAfee, Petitioner, was sworn, submitted a letter, Exhibit A, which was reviewed by the Board, and testified that he questioned the comparable values used for his property. He said when they started making plans to remodel and enlarge their home, they learned their property was 70 percent stream environmental zone and they cannot build on any part of the lot that was not already covered. The Petitioner also stated they recently learned they are in a "flood plain" according to the Army Corps of Engineers.

Member Sparks asked if they could rebuild if the house burned down. Mr. McAfee said they could, but only for the current footprint.

Appraiser Sauer noted the current improvement covers over 4,000 sq feet and that the petitioner could build up on the current improvements. He then reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII.

Member Schmidt asked if there had been adjustments for lot size. Appraiser Joe Johnson, duly sworn, said adjustments were made for size with the larger lots being adjusted upward by five percent.

In rebuttal, the Petitioner reiterated previous comments.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-211-27 be upheld.

A petition for Review of Assessed Valuation received from John S. and Marilyn L. Fletcher, protesting the taxable valuation on land and improvements located at 131 Mayhew Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated 020/single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Marilyn Fletcher, Petitioner, was sworn, submitted a letter, Exhibit A, which was reviewed by the Board, and testified that she questioned the land value based on the restrictions to which they must conform and which they did not know about until they wanted to build a garage. She said they are in the stream/flood zone and she believes the value suffers based on those restrictions. She also said she is on a fixed income and may not be able to afford to live there much longer if the taxes keep going up.

Member Schmidt asked about the location of the house and driveway on the property. Member Obester asked about the comparable vacant land sales in comparison to her land value.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII.

Member Schmidt questioned the meaning of the word "footprint". Member Sparks noted on the comparable sales that a neighborhood lot sold for \$377 per square foot in 2002 and the subject property is being assessed at \$288 per square foot.

In rebuttal, the Petitioner said that the comparable discussed was sold, but the buyer wanted to tear down the structure and completely rebuild, but he was not allowed to.

The Chairman closed the hearing.

Member Schmidt pointed out that it is in a quiet area and it is a larger lot, which gives it more privacy.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester voting "no," it was

ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-211-37 be upheld.

04-374E HEARING NO. LT-419 – DONNIE R. & ELIZABETH L. SAAR, TR.
- PARCEL NO. 130-212-12

A petition for Review of Assessed Valuation received from Donnie R. and Elizabeth L. Saar, Tr., protesting the taxable valuation on land and improvements located at 140 Tramway Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Elizabeth Saar, Petitioner, was sworn and testified that she is questioning the land value based on the proximity to Highway 28 and the Ponderosa Ranch. She said the Ponderosa Ranch is directly across the street, and it is very noisy, dusty and congested. The Petitioner further said people park along Highway 28 near their back yard to go hiking and biking in that area; and in the summertime, there are people all over making a real mess throwing their garbage all over. She said they have lost their privacy and that impacts their land value.

Member Sparks noted the subject property did receive a 25 percent reduction from the base lot value because of the same adverse factors.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII.

Member Schmidt asked about the impact of the commercial properties, specifically the Ponderosa Ranch. Appraiser Sauer stated there was an impact but he believes the Assessor has compensated for that.

The Petitioner stated she had nothing to add in rebuttal.

The Chairman closed the hearing.

Member Schmidt commented on the duress caused by Highway 28 and the Ponderosa Ranch. He made a motion to reduce the land value an additional 10 percent because of the duress from the Ponderosa Ranch. The motion died for lack of a second.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no" and

Member Obester abstaining, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-212-12 be upheld.

04-375E HEARING NO. LT-1026 – DANIELLE SAVY
PARCEL NO. 130-162-09

A petition for Review of Assessed Valuation received from Danielle Savy, protesting the taxable valuation on land and improvements located at 240 Pelton Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII.

Member Sparks noted that the letter was the same as two that had been received yesterday on other properties owned by the Petitioner.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-162-09 be upheld.

04-376E HEARING NO. LT-379 – FORREST C. & KATHRYN GRIGGS, TR.
- PARCEL NO. 130-162-11

A petition for Review of Assessed Valuation received from Forrest C. and Kathryn Griggs, Tr., protesting the taxable valuation on land and improvements located at 1055 Sawmill Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox noted that the letter questioned the comparison between Washoe County and Douglas County assessments and the methods used by the Washoe County Assessor to value property.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, XIV and XVIII.

The Chairman closed the hearing.

Member Sparks noted two other properties on Sawmill Road were reduced earlier today due to the traffic influence from Highway 28.

Based on the FINDINGS that adverse factors were not considered by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 130-162-11 be reduced to \$304,000.00 and that the taxable value of the improvements be upheld, for a total taxable value of \$1,072,276.00. The Board also found that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

Member Schmidt noted the letter did not question the duress of Highway 28 and wondered about giving the reduction.

04-377E HEARING NO. LT-1154 – KAREN L. ERSKINE
PARCEL NO. 130-163-01

A petition for Review of Assessed Valuation received from Karen L. Erskine, protesting the taxable valuation on land and improvements located at 1084 Flume Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Member Sparks asked if the lot backed up to Highway 28 and Appraiser Sauer noted it did not.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox noted the letter questioned the rate of assessment increase, but that the Board was not able to address that and there is no limit to the amount of increase.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, XIV and XVIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-163-01 be upheld.

04-378E HEARING NO. LT-778 – STEVE & BONNIE S. REICHERT
PARCEL NO. 130-163-19

A petition for Review of Assessed Valuation received from Steve and Bonnie S. Reichert, protesting the taxable valuation on land and improvements located at 245 Pelton Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, XIV and XVIII.

The Chairman closed the hearing.

Member Schmidt noted that the letter did not question any issues that the Board could address.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-163-19 be upheld.

04-379E HEARING NO. LT-996 – HAROLD M. & LUISA SMITH
PARCEL NO. 130-202-28

A petition for Review of Assessed Valuation received from Harold M. and Luisa Smith, protesting the taxable valuation on land and improvements located at 1083

Mill Creek Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, XIV and XVIII.

The Chairman closed the hearing.

Member Schmidt noted the letter questioned the amount of notice time for the hearing and the issues raised in the letter were not appropriate for the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-202-28 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-380E HEARING NO. LT-401 – RICHARD H. & MARIE F. URSO, TR.
PARCEL NO. 130-203-16

A petition for Review of Assessed Valuation received from Richard H. and Marie F. Urso, Tr., protesting the taxable valuation on land and improvements located at 1061 Oxen Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, XIV and XVIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-203-16 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-381E HEARING NO. LT-408 – PETER R.R. & DELIA M. BIBEAU
PARCEL NO. 130-204-10

A petition for Review of Assessed Valuation received from Peter R.R. and Delia M. Bibeau, protesting the taxable valuation on land and improvements located at 208 Wheel Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated 020/single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, XIV and XVIII.

The Chairman closed the hearing.

Member Schmidt noted the letter questioned issues that have been addressed by the Assessor, are not applicable to the Board or that the Board does not have control over.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-204-10 be upheld.

**04-382E HEARING NO. LT-411 – JOHN P. & SHIRLEY A. BRIGNOLI, TR.
- PARCEL NO. 130-205-12**

A petition for Review of Assessed Valuation received from John P. and Shirley A. Brignoli, Tr., protesting the taxable valuation on land and improvements located at 274 Tramway Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Sauer said the property does back up to Highway 28 and the base lot value has been adjusted downward. He reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III, XIV and XVIII.

Member Schmidt asked the Appraiser about the lumberyard that is across the highway. Member Sparks asked what the adjustments were to the lot. Appraiser Sauer advised the property was given a 25 percent adjustment for location and traffic.

The Chairman closed the hearing.

Member Schmidt made a motion for an additional 5 percent downward adjustment for proximity to commercial property. The motion failed due to lack of a second.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-205-12 be upheld.

**04-383E HEARING NO. LT-412 – LARRY D. & PAULINE BAUER
PARCEL NO. 130-205-22**

A petition for Review of Assessed Valuation received from Larry D. and Pauline Bauer, protesting the taxable valuation on land and improvements located at 245 Pine Cone Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. Appraiser Sauer noted that the property is one lot away from Highway 28.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (noise from Highway 28) were not considered by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 130-205-22 be reduced to \$304,000.00 and that the taxable value of the improvements be upheld, for a total taxable value of \$504,089.00. The Board also found that, with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-384E HEARING NO. LT-1156 – ROBIN I. & THALIS WELCH, TR.
PARCEL NO. 130-211-29

A petition for Review of Assessed Valuation received from Robin I. and Thalys Welch, Tr., protesting the taxable valuation on land and improvements located at 171 Mayhew Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Member Sparks noted the other properties on Mayhew Circle heard earlier today and that the sales data did not show that the SEZ impacted sales or values.

Appraiser Sauer reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII.

Member Schmidt noted the length of the lot and asked if there is a ditch along the back. Appraiser Joe Johnson, duly sworn, responded it is a drainage ditch.

The Chairman closed the hearing.

Member Schmidt commented on the large size of the improvement footprint and the quiet nature of the location.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-211-29 be upheld.

04-385E HEARING NO. LT-416 – ROBERT A. HUNT, ET AL., TR.
PARCEL NO. 130-211-33

A petition for Review of Assessed Valuation received from Robert A. Hunt, et al., Tr., protesting the taxable valuation on land and improvements located at 151 Mayhew Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Sauer reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVIII.

Member Sparks asked the Appraiser if the comparable sales were impacted by the stream zone. Appraiser Sauer said they did not appear to be.

The Chairman closed the hearing.

Member Schmidt noted the footprint is large, and the property is in a quiet area with a stream in the back yard.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Assessor's Parcel No. 130-211-33 be upheld.

04-386E **HEARING NOS. LT-919, -920, -378, -1286A, -697, -921A, -921B, -921C, -381, -915, -382, -383, -1184A, -1184B, -1286B, -457, -1155, -400, -863, -402, -404, -405, -406, -407, -484A, -409, -410, -1157, -418, -987, -420**

Chairman Fox noted there are no more Petitioners present for the remaining hearings and the Board has no other letters or information on the remaining petitions. He asked the Board Members if anyone finds any reason why the remaining properties are not similar enough to be consolidated and heard together.

Member Sparks commented that the remaining petitions appear to be on a standard petition form.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the remaining petitions be consolidated and heard together.

The Clerk of the Board individually called the above-referenced hearings by hearing number, property owner's name and parcel number.

Chairman Fox again noted that there was no one present to represent the Appellants. He then asked the Assessor if they had any additional information to present.

Ron Sauer, Appraiser, duly sworn, stated the Assessor would stand on their written presentation submitted and contained in Exhibits I, II, III, XIV and XVIII.

The Chairman closed the hearing.

Member Allison remarked that these petitions are all the same in that they have "unknown" placed under the owner's opinion of land, building and total value, they say the purchase price and purchase date are "unknown," and they state the reason is that the valuation methods are not supported by statute or regulation. She further noted these petitions indicate additional documentation or evidence will be supplied at the hearings, but the Board has received no other information.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-919	Albert J. Kwasky	130-161-02
LT-920	Albert J. Kwasky	130-161-06
LT-378	Robert G. Merrick TR	130-161-08
LT-1286A	Sandra L. and James G. Jr. McGarry, Tr.	130-161-16
LT-697	David N. and Michele J. Koch	130-161-17

LT-921A	U.H. Corneil, Tr.	130-162-04
LT-921B	U.H. Corneil, Tr.	130-162-03
LT-921C	U.H. Corneil, Tr.	130-162-15
LT-381	Robert W. Gilmore	130-163-03
LT-915	Paul A. and Joanne W. Covec, Tr.	130-163-13
LT-382	Ernest J. Jr. and Jacquelyne A. Polati, Tr.	130-163-23
LT-383	David P. and Susan G. Marelich, Tr.	130-163-25
LT-1184A	William E. and Jill E. Minkle	130-202-17
LT-1184B SO3	William E. and Jill E. Minkle	130-202-17
LT-1286B	Sandra L. and James G., Jr., McGarry, Tr.	130-202-18
LT-457	Nolon M. and Joyce H. Doss, Tr.	130-202-21
LT-1155	Boyd C. and Jamie Golden	130-203-01
LT-400	John McManus	130-203-07
LT-863	James Valdes	130-203-10
LT-402	Jeffrey D. and Judi Herrick, et al.	130-203-19
LT-404	Ralph T. and Linette M. Taylor	130-203-23
LT-405	Ronald L. Ivory	130-203-25
LT-406	Timothy J. and Shahin V. Lampe	130-203-26
LT-407	Gary A. and Trish Lewandowski	130-204-06
LT-484A	William E., Jr., and Marie Nasser, Tr.	130-204-07
LT-409	Charles L. and Lisa M. Batchelder, et al.	130-204-16
LT-410	Forest D. and Ester Lorimor	130-205-09
LT-1157	Arbagey Family Ltd. Ptsp.	130-211-38
LT-418	Thomas F. and Ella M. Dolley	130-212-03
LT-987	Steven A. and Regina L. Shapiro	130-212-14
LT-420	Gregory K., Sr., and Conchita R. White	130-212-18

MINUTES

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, Chairman Fox ordered that the minutes of the organization meeting of December 11, 2003 be approved.

On motion by Member Sparks, seconded by Member Schmidt, with Members Allison and Obester abstaining, which motion duly carried, Chairman Fox ordered that the minutes of the January 7, 2004 workshop be approved.

BOARD COMMENTS

Member Schmidt thanked Chairman Fox for his hard work for the Board.

PUBLIC COMMENTS

There was no response to the call for public comments.

* * * * *

12:50 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 13, 2004 at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy, Clerk's Office*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

FRIDAY

9:00 A.M.

FEBRUARY 13, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member
Gary Schmidt, Member
Steven Sparks, Member

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
David Watt-Vial, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on February 12, 2004, in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the Petitioners:

Hearing No. LT-645 Steven C. and Christine L. Johnson, Parcel No. 122-213-02

Hearing No. LT-63 Wouternia M. Swets, Parcel No. 122-194-06*

*Hearing reagendaized due to an error placed on the posted agenda regarding the hearing number.

9:00 A.M. - BLOCK

DISCUSSION AND ACTION – POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the Board would first consider the hearings where the Petitioner was present, then consider any petitions where a letter or additional information was submitted, and then any remaining hearings that assert the same of similar reason(s) for the appeal would be consolidated.

Chairman Fox outlined the process for the hearings and the order of the day. He explained the role of the Board of Equalization and the Board's limited jurisdiction. He confirmed that the Board makes no decisions regarding taxes, and he reviewed the functions of the State Board of Equalization.

A petition for Review of Assessed Valuation received from Ernest A. and Grace A. Trujillo, protesting the taxable valuation on land and improvements located at 1045 Tiller Dr., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Ernest A. Trujillo, the Petitioner, was sworn, submitted documents and photographs, Exhibit A, and testified that the vacant land was purchased in 1989 and the home was built 1993. He stated the parcel was an irregular lot with a thirteen-foot drop from street level. He said the parcel backs up to Country Club Mall and has historically been a direct walk through for locals. He explained that in order to obtain a permit to construct a fence for privacy, the Incline Village General Improvement District put an encroachment on the property that decreased the lot size. Further limitations on the property included set backs and recorded easements. He believed his property should be reduced to a base lot value of \$320,000 to place it in equalization with his neighbors, and an additional five percent given for substandard factors that affect his parcel. He reported that Ron Sauer, Senior Appraiser, had informed him that an area real estate person confirmed that properties on Tiller Drive sold at higher prices compared to neighboring areas. He disputed this and said that Tiller properties do not sell for more.

The Petitioner reviewed comparable properties pointing out those that received reductions in their values and the similarities of those to his parcel. He stated that homes on Mill Creek Estates were similar to the homes on Tiller Drive, and the Mill Creek Estates base lot values were set at \$320,000. He said that bright lights, public nuisance from the Mall area and light intrusion should be considered to reduce his base lot value. He declared that consideration was not given for size, shape, frontage, topography and location when the property was assessed.

Senior Appraiser Ron Sauer, duly sworn, reviewed sales of comparable properties substantiating that the Assessor's taxable valuable does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII. He explained that in 1997 an adjustment was made for a path because many people walked through the subject property to get to the condominium complex. He acknowledged that the Petitioner built a fence that alleviated the problem, so no further adjustment was given. He said that behind the subject parcel was 100-200 feet of rough landscaping, no parking was near by, lights and the commercial area were a distance away, and, in his opinion, an adjustment was not necessary.

Member Allison inquired if any of the properties on Tiller Drive had a base lot value of \$320,000, and Appraiser Sauer confirmed that they were all set at \$400,000.

In response to Member Schmidt, Appraiser Sauer explained how the base lot values were determined for Tiller Drive and Mill Creek Estates. He said that initially when the base lot value was determined for Mill Creek Estates it was set at \$400,000, but after further analysis, looking at the sales off of Tiller Drive, it was concluded that Mill Creek was a different neighborhood and the land value was decreased 20 percent for location. He said Tiller Drive was a better neighborhood with nicer homes, large, level, and more uniform lots. He clarified that in the area of Tiller Drive there were a lot of add-ons and remodeled homes.

In rebuttal, the Petitioner stated that the fence did not fully alleviate the problem of people walking through the subject parcel. He said that there were areas on Tiller Drive that had a base lot value of \$320,000. He stated the slope of his driveway and the use of the driveway by the public should be considered to reduce his base lot value.

The Chairman closed the hearing.

Chairman Fox commented on the comparables and stated the subject parcel was adjacent to a commercial area and the lights could impact the property.

Member Obester said that over-all the values were too low in the area presented. He stated that the Assessor has been overly conservative in the estimate of land values. He explained that the law instructs the Assessor to value land at market and not below. He said he would not agree to any motion to lower any property in the area, and he suggested raising the value of other properties.

Member Schmidt agreed and said there may be an equalization problem. He said that instead of lowering the value in the Mill Creek area, the Assessor should have increased the value of the Tiller properties. He suggested seeking an option to keep the subject parcel at \$400,000 and notice the Mill Creek area and raise their values.

Member Allison requested the Board focus on the hearing at hand and no motion should be made to raise values of other properties discussed. She stated she would seek an adjustment for the parcel.

David Watts-Vial, Legal Counsel, clarified that the most the Board could do at this point, in regard to raising rates, would be to place the item on an agenda for discussion. He read the statute and method that would need to be followed to address raising rates.

Member Allison moved to decrease the taxable value of the land by five percent based upon the adverse factors presented by the Petitioner. Chairman Fox

seconded the motion; and, upon call for the vote, the motion failed with Members Allison and Fox voting "yes," and Members Obester, Schmidt and Sparks voting "no."

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-170-07 be upheld.

04-388E HEARING NO. LT-1093 – ROBERT F. M. ATKINSON
PARCEL NO. 122-129-14

A petition for Review of Assessed Valuation received from Robert F. M. Atkinson, protesting the taxable valuation on land and improvements located at 621 Crystal Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He described the neighborhood boundaries and stated the base lot value was \$525,000.

Robert Atkinson, the Petitioner, was sworn, and submitted several documents, Exhibit A, which included his introduction, motions of his requests to the Board, graphs, copies of all his correspondence with the Assessor's office and land sales information. He presented the exhibits and reviewed them with the Board. He testified that he disagreed with the methods used by the Assessor to calculate the taxable land value of his parcel. He stated his frustration with the Assessor's office and said improved communication was needed.

In response to the Petitioner, Steve Churchfield, Chief Appraiser, explained time adjustment values and the process to determine the values.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

In response to Chairman Fox, Ron Sauer, Senior Appraiser, explained how the time adjustment was arrived at for the subject parcel. He confirmed that the time adjustment method went before the State Board of Equalization in 2003 and no problems were found with the method. He said that the Department of Taxation taught the time adjustment procedure to the Assessor, and he confirmed those methods were followed.

In rebuttal, the Petitioner, said he could not present information to dispute the Assessor's methods due to lack of time. He noted a five percent reduction had been given for traffic.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-129-14 be upheld.

04-389E HEARING NO. LT-43 – ERNESTINE C. MESQUIT
PARCEL NO. 122-191-23

A petition for Review of Assessed Valuation received from Ernestine C. Mesquit, protesting the taxable valuation on land and improvements located at 652 Crystal Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Susan Devyak, representing the Petitioner, was sworn, submitted a letter, Exhibit A, and testified that the traffic impacts from Tahoe Boulevard and the irregular size and slope of the lot were adverse factors to be considered for a reduction. She also noted a County easement on the property, and the slope would decrease the amount of coverage available on the lot. She said that size and slope of the lot, the easement and coverage limitations call for an adjustment, as the comparables did not have these adverse factors. She stated that prices have flattened on high-end properties in Incline Village.

In response to Chairman Fox, Ms. Devyak stated that her opinion of the total market value was \$699,000.

Member Sparks discussed the comparables with Ms. Devyak. He inquired if the traffic and adverse factors on the subject parcel would warrant a 40 percent adjustment, and she was unable to confirm the percentage.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVII. He explained that a five percent discount had already been given for traffic, but an adjustment was not given for the traffic from Crystal Peak.

In rebuttal, Ms. Devyak stated that there was great impact from the traffic on Crystal Peak that should be considered.

The Chairman closed the hearing.

Member Schmidt stated that an additional five percent adjustment should be given for the traffic and location of the lot.

Based on the FINDINGS that adverse factors (traffic and irregular size and slope) were not given enough weight by the Assessor, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of land on Parcel No. 122-191-23 be reduced to \$472,500.00 and the taxable value of the improvements be upheld, for a total taxable value of \$572,081.00. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-390E HEARING NO. LT-65 – GEORGE & TAYLOR MIHALKO
PARCEL NO. 122-194-17

A petition for Review of Assessed Valuation received from George and Taylor Mihalko, protesting the taxable valuation on land and improvements located at 730 Mays Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

George Mihalko, Petitioner, was sworn, submitted a letter, Exhibit A, and testified that Mays Boulevard was a primary connector between Lakeshore and the Village Shopping Center, and that causes a traffic impact for the subject parcel. He said the comparable sales were of much higher quality than Mays Boulevard because of the traffic on Mays Boulevard, a tavern that brings about many police complaints, delivery truck noise, and the area being used as shortcut to avoid a school zone. He explained that the lot was in the curve of the road, and was the only lot on the street that has a 20-foot elevation change from the street to where the home sits. He described the impact of that was in the winter the County snow plows deposit the snow in front of their home, and they cannot get out of the driveway until he removes it. He clarified that he paid \$691,000 for the subject parcel two years ago.

The Petitioner stated that the valuation did not take into account the asbestos that has been found in the house. He had no proof of the asbestos problem with him at the hearing.

In response to Member Sparks, the Petitioner said that Martis Peak and Mays Boulevard could not be compared because of the views, the higher quality of homes and the quieter street.

In response to Member Allison, the Petitioner stated he did overpay for the property. He said an asbestos analysis has been paid for and they plan to have the work done to make the home livable.

Member Schmidt inquired if the Petitioner was aware of the asbestos problem at the time of the sale, and the Petitioner stated that he was.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

Member Sparks inquired about adjustments given to streets in the area, and Appraiser Johnson explained that there were adjustments made on Allen Way due to parcels backing up to a commercial property.

Member Schmidt discussed medians and their use with Steve Churchfield, Chief Appraiser. Member Allison acknowledged that the subject parcel was still under taxable value.

The Petitioner did not have a rebuttal, but agreed with the Assessor's statement that the comparables used were more valuable than his property.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-194-17 be upheld.

04-391E HEARING NO. LT-68 – GARY W. & JENNIFER J. LEE, TR.
PARCEL NO. 122-195-16

A petition for Review of Assessed Valuation received from Gary W. and Jennifer J. Lee, Tr., protesting the taxable valuation on land and improvements located at 716 James Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Gary Lee, Petitioner, was sworn, submitted a real estate flyer and Assessor's Assessment notice, Exhibit A, and testified that he was not in agreement with the comparable sales used by the Assessor. He said there was no view from James Lane. He explained that he owned two homes on James Lane, 737 James Lane and the subject

parcel. He stated the subject parcel has an up-sloping lot. He questioned the variation of the building values of the two parcels because he said they were identical homes. He did not agree with how base lot values were determined. Petitioner Lee stated professionals in the real estate industry recommended he tear down the home and build a new one, or gut the home and fully remodel it. He acknowledged that would be the way to make his home line up with the comparables. He bought the home in 2003 and paid \$1,100,000.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVII. Ron Sauer, Senior Appraiser, explained the differences of the two homes on James Lane, including square footage, size of garage, quality class differences, years the homes were built and number of fixtures. He offered to verify the quality class if the Petitioner desired. He said there were significant differences that would account for the variations in the building values.

In rebuttal, the Petitioner said there were variations in the floor plans because of the slope of the lots. He believes the home on 737 James Lane was the more desirable home and lot. He stated the fixture count might be in error.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-195-16 be upheld, subject to the Assessor's inspection of the property to confirm quality class.

**04-392E HEARING NO. LT-634 – FRANK W. JR. & JUDITH A. SPEES,
TR.PARCEL NO. 122-201-01**

A petition for Review of Assessed Valuation received from Frank W. Jr. and Judith A. Spees, Tr., protesting the taxable valuation on land and improvements located at 713 Joyce Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called. He submitted documents and a letter, Exhibit A, which were reviewed by the Board.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

Member Sparks inquired about the view, and Appraiser Johnson stated view was not a factor for the subject parcel. He pointed out that the Petitioner was only contesting the building value, and he encouraged Appraiser Johnson to contact the Petitioner to verify the quality class.

Chairman Fox commented that there was no owner's opinion of market value listed. He said that the improvements were a mechanical process legislated to use Marshall & Swift replacement cost, and a statutory depreciation schedule. He did not see any evidence to change the improvement value.

The Chairman closed the hearing.

Member Allison noted the Petitioner wanted to use the property as a teardown.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-01 be upheld.

04-393E HEARING NO. LT-950 – GREGORY P. & KERRY P. DONOVAN, TR. - PARCEL NO. 122-211-15

A petition for Review of Assessed Valuation received from Gregory P. and Kerry P. Donovan, Tr., protesting the taxable valuation on land and improvements located at 856 Ophir Peak, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called. He submitted a letter, Exhibit A, which the Clerk read into the record.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-211-15 be upheld.

**04-394E HEARING NO. LT-49 – DONALD GORDAN CUSHING, TR.
PARCEL NO. 122-202-01**

A petition for Review of Assessed Valuation received from Donald Gordan Cushing, Tr., protesting the taxable valuation on land and improvements located at 717 Mays Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-202-01 be upheld.

**04-395E HEARING NO. LT-643 – LEONARD P. & WENDY S. ULLMANN -
PARCEL NO. 122-212-08**

A petition for Review of Assessed Valuation received from Leonard P. and Wendy S. Ullmann, protesting the taxable valuation on land and improvements located at 119 Abbey Peak Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Wendy S. Ullman, the Petitioner, was sworn, submitted photographs, Exhibit A, and said that she did not understand how the land and improvement values are determined. She stated her concern was that no improvements had been completed on the house since 1979. The home was built on a slope, on a single row of cinder blocks and the blocks were falling apart and cracking. She testified that this affected the shape of the house; and there were changes in the siding, windows cracking, cracks inside and outside the house and the cement part of the foundation was cracking. She was not in agreement with the value of the house because of these problems.

Chairman Fox explained the methodology used to value improvements for the Petitioner.

Member Sparks inquired if the Petitioner would allow the Assessor to inspect the home for quality class or to see if the total depreciation should be changed, and the Petitioner was agreeable. She requested that the Assessor come after the snow melts to examine the full affect on the home.

The Petitioner mentioned that teardowns and the moving of an elementary school affected her property value.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVII. He stated that when the Assessor was aware of salvage value it would be deducted from the value of the land. He confirmed he would meet with the Petitioner regarding her concerns.

A discussion ensued between the Board members and the Assessor's office about teardowns, the values, deductions and the costs involved.

Member Schmidt said he would challenge the opinion of the Assessor's office in regard to teardowns, he would not automatically accept their opinion and he would require additional documentation from the Assessor to support teardowns of perfectly good houses.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-212-08 be upheld, subject to the Assessor reviewing the improvement taxable value.

04-396E HEARING NO. LT-646 – JOHANN J. LEITER, TR.
PARCEL NO. 122-215-05

A petition for Review of Assessed Valuation received from Johann J. Leiter, Tr., protesting the taxable valuation on land and improvements located at 869 Ophir Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDC and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-215-05 be upheld.

**04-397E HEARING NO. LT-1095 – SYD A. & JOANNE M. BROSTEN, TR. –
PARCEL NO. 122-215-13**

A petition for Review of Assessed Valuation received from Syd A. and Joanne M. Brosten, Tr., protesting the taxable valuation on land and improvements located at 876 Freels Peak, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-215-13 be upheld.

**04-398E HEARING NO. LT-386 – GEORGE & LINDA SEIFERT, TR.
PARCEL NO. 130-170-08**

A petition for Review of Assessed Valuation received from George and Linda Seifert, Tr., protesting the taxable valuation on land and improvements located at 1047 Tiller Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-170-08 be upheld.

**04-399E HEARING NO. LT-1261 – DENNIS A. & CLAIRE C. PERRY, TR. -
PARCEL NO. 130-201-11**

A petition for Review of Assessed Valuation received from Dennis A. and Claire C. Perry, Tr., protesting the taxable valuation on land and improvements located at 110 Selby, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-201-11 be upheld.

**04-400E HEARING NO. LT-398 – RAYMOND D. & JUDITH WILSON
PARCEL NO. 130-201-16**

A petition for Review of Assessed Valuation received from Raymond D. and Judith Wilson, protesting the taxable valuation on land and improvements located at

1073 Tiller Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter and photograph, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

Member Sparks inquired if lake, forest, or golf course views, or adjacent land or open space were considered in this neighborhood for the base lot value. Appraiser Johnson stated those factors were not considered in the base lot value. He confirmed he did visit the property.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-201-16 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-401E HEARING NO. LT-399 – RICHARD & MARTHA LYAU, TR.
PARCEL NO. 130-201-17

A petition for Review of Assessed Valuation received from Richard and Martha Lyau, Tr., protesting the taxable valuation on land and improvements located at 1075 Tiller Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-201-17 be upheld.

04-402E HEARING NO. LT-422 – ROBERT W. & SUSAN A. POSTLE, TR. -
PARCEL NO. 130-202-12

A petition for Review of Assessed Valuation received from Robert W. and Susan A. Postle, Tr., protesting the taxable valuation on land and improvements located at 1066 Tiller, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

In response to Member Schmidt, Appraiser Johnson confirmed that none of the teardowns in the area of the subject property were left standing. Ron Sauer, Senior Appraiser, acknowledged that when the reappraisal was completed, three had not been torn down at the time, so they were taken off the sales charts. He said there was not a teardown left standing that the Assessor was using as a comparable sale in Incline Village.

The Chairman closed the hearing.

Member Allison commented that values have increased in Nevada and comparables support an increase in the taxes. She stated the Board was not allowed to roll back taxes.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-201-12 be upheld.

**04-403E HEARING NO. LT-774 – JOHN P. MAYFIELD, ET AL, TR.
PARCEL NO. 130-211-09**

A petition for Review of Assessed Valuation received from John P. Mayfield, et al., Tr., protesting the taxable valuation on land and improvements located at 104 Pine Cone Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

Member Schmidt inquired if the Petitioner was sent the information requested in the letter, and Appraiser Johnson confirmed that the Assessor's office sends out information within the time allotted by statute.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-211-09 be upheld.

**04-404E HEARING NO. LT-414 – GERALD F. & FRANCES W. DOHERTY,
TR. - PARCEL NO. 130-211-12**

A petition for Review of Assessed Valuation received from Gerald F. and Frances W. Doherty, Tr., protesting the taxable valuation on land and improvements located at 1110 Tiller Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

In response to Member Sparks, Appraiser Johnson confirmed that although the lot was irregular in shape and larger in size than the comparables, the utility was the same. He said he considered the stream environmental zone located on the subject property when he looked at the base land value. He explained that the Board made adjustments for traffic impacts last year for neighboring parcels, but the subject parcel was set back and not considered to be affected by the traffic.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-211-12 be upheld.

04-405E HEARING NO. LT-415 – JACK M. & CATHERINE J. RASMUSSEN, TR. - PARCEL NO. 130-211-14

A petition for Review of Assessed Valuation received from Jack M. and Catherine J. Rasmussen, Tr., protesting the taxable valuation on land and improvements located at 116 Pinecone Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

The Chairman closed the hearing.

In response to Members Obester and Schmidt, David Watts-Vial, Legal Counsel, stated that the Board could not discuss an issue that was not on the agenda for the day. If the Board desired to pursue raising the taxable value for this parcel and others in the area, the topic would need to be placed on a future agenda and then the Board could make a decision on whether or not to set a meeting where the Board may or may not decide to have the Clerk notify someone that their valuation may be increased.

Member Schmidt did not agree with that procedure, but he said he would follow the direction of Legal Counsel.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-211-14 be upheld.

04-406E HEARING NO. LT-628 – NEWTON J. & CYNTHIA HARBAND
PARCEL NO. 122-191-16

A petition for Review of Assessed Valuation received from Newton J. and Cynthia Harband, protesting the taxable valuation on land and improvements located at 710 Martis Peak Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

In response to Member Sparks, Appraiser Johnson confirmed that the Assessor's methods had been approved by the Department of Taxation through the Nevada Tax Commission.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-191-16 be upheld.

04-407E HEARING NO. LT-45 – CAROL BRUNO, TR.
PARCEL NO. 122-192-01

A petition for Review of Assessed Valuation received from Carol Bruno, Tr., protesting the taxable valuation on land and improvements located at 639 Crystal Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

Member Sparks inquired if the steep driveway was considered for an adjustment, and Appraiser Johnson confirmed he would contact the Petitioner to review the slope. He stated the parcel did receive an adjustment for traffic impact.

The Chairman closed the hearing.

Member Schmidt stated there should be a ten percent adjustment for traffic impacts from Highway 28, as was given for parcels affected by the Mt. Rose Highway.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-192-01 be upheld.

04-408E HEARING NO. LT-47 - PAUL R. KNOLES ET AL, TR.
PARCEL NO. 122-193-05

A petition for Review of Assessed Valuation received from Paul R. Knoles, et al, Tr., protesting the taxable valuation on land and improvements located at 645 Martis Peak Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-193-05 be upheld.

**04-409E HEARING NO. LT-1132 – JEFF L. & PEGGY B. FISCHER, TR.
PARCEL NO. 122-193-12**

A petition for Review of Assessed Valuation received from Jeff L. and Peggy B. Fischer, Tr., protesting the taxable valuation on land and improvements located at 659 Martis Peak, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated 020/single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-193-12 be upheld.

**04-410E HEARING NO. LT-949 – STEVEN P. SR. & ANITA E. MINGHAM,
TR. - PARCEL NO. 122-194-12**

A petition for Review of Assessed Valuation received from Steven P. Sr. and Anita E. Mingham, Tr., protesting the taxable valuation on land and improvements at 211 Allen Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-194-12 be upheld.

04-411E HEARING NO. LT-64 – JOHN R., SR., & MURIEL W. GAMBLE, TR. - PARCEL NO. 122-194-13

A petition for Review of Assessed Valuation received from John R., Sr., and Muriel W. Gamble, Tr., protesting the taxable valuation on land and improvements located at 207 Allen Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Member Schmidt stated there should be a reduction because of the shape of the lot and traffic duress on the parcel.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-194-13 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-412E HEARING NO. LT-61 – ROB R. SCHUYLER, TR.
PARCEL NO. 122-194-23

A petition for Review of Assessed Valuation received from Rob R. Schuyler, Tr., protesting the taxable valuation on land and improvements located at 696 David Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

Member Sparks commented that the Assessor followed the regulations for proper noticing, and the policy of the Board for 2004 was to not grant any continuance on any hearing.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-194-23 be upheld.

04-413E HEARING NO. LT-633 – PHYLLIS & JOSEPH J. PALERMO
PARCEL NO. 122-195-01

A petition for Review of Assessed Valuation received from Phyllis and Joseph J. Palermo, protesting the taxable valuation on land and improvements located at 701 Martis Peak Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-195-01 be upheld.

04-414E HEARING NO. LT-66 – JOSEPH J. & FRANCINE J. BREZICKI
PARCEL NO. 122-195-03

A petition for Review of Assessed Valuation received from Joseph J. and Francine J. Brezicki, protesting the taxable valuation on land and improvements located at 711 Martis Peak Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

In response to Member Schmidt, Appraiser Johnson confirmed that any information requested by Petitioners was mailed or faxed as soon as it was available. He stated that Exhibit III has not been available until right before the hearings due to the volume of appeals in 2004.

David Watts-Vial, Legal Counsel, explained that there was no requirement that the letters be read aloud to become part of the record. As long as the Clerk has a copy and it has been submitted as evidence, the Board was presumed to have read and considered it and accorded it whatever weight the Board believed was appropriate.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-195-03 be upheld.

**04-415E HEARING NO. LT-69 – KOZO & KATHLEEN M. KIMURA, TR. -
PARCEL NO. 122-195-17**

A petition for Review of Assessed Valuation received from Kozo and Kathleen M. Kimura, Tr., protesting the taxable valuation on land and improvements located at 712 James Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-195-17 be upheld.

**04-416E HEARING NO. LT-1055 – DONALD M., JR., & PAMELA T.
WIGHT, TR. - PARCEL NO. 122-201-04**

A petition for Review of Assessed Valuation received from Donald M. Jr. and Pamela T. Wight, Tr., protesting the taxable valuation on land and improvements located at 725 Joyce Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-04 be upheld.

04-417E HEARING NO. LT-822 – JOHN A. & RHONDA L. BOHN
PARCEL NO. 122-201-05

A petition for Review of Assessed Valuation received from John A. and Rhonda L. Bohn, protesting the taxable valuation on land and improvements located at 729 Joyce Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVII.

In response to Member Sparks, Appraiser Johnson stated that no view rating was included in the base value for the subject property.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-05 be upheld.

04-418E HEARING NO. LT-1033 – JOYCE ASSOCIATES
PARCEL NO. 122-201-07

A petition for Review of Assessed Valuation received from Joyce Associates, protesting the taxable valuation on land and improvements located at 739 Joyce Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Member Sparks encouraged the Assessor to contact the Petitioner to verify the quality class of the improvements.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-07 be upheld.

04-419E HEARING NO. LT-71 – JULIA E. BIAKANJA, TR.
PARCEL NO. 122-201-08

A petition for Review of Assessed Valuation received from Julia E. Biakanja, Tr., protesting the taxable valuation on land and improvements located at 745 Joyce Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII. He explained that the parcel was given a five percent adjustment for a pedestrian easement.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-08 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is

not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-420E HEARING NO. LT-636 – SAMUEL J. & VIRGINIA M. JACOBSON, TR. - PARCEL NO. 122-201-28

A petition for Review of Assessed Valuation received from Samuel J. and Virginia M. Jacobson, Tr., protesting the taxable valuation on land and improvements located at 703 Mays Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-28 be upheld.

04-421E HEARING NO. LT-824 – ALFRED N. & HOLLACE K. GERTMENIAN - PARCEL NO. 122-202-14

A petition for Review of Assessed Valuation received from Alfred N. and Hollace K. Germenian, protesting the taxable valuation on land and improvements located at 110 Robert Avenue, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's taxable value of the subject property does not exceed the fair market value. He stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-202-14 be upheld.

**04-422E HEARING NO. LT-51 – SHELDON F. & LOUISE H. CRADDOCK -
PARCEL NO. 122-211-07**

A petition for Review of Assessed Valuation received from Sheldon F. and Louise H. Craddock, protesting the taxable valuation on land and improvements located at 136 Rubicon Peak Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

The Board members discussed the short notice given to petitioners and the impact that could have on their hearings. Member Allison noted that there were no barriers to prevent petitioners from seeking out information to build their cases in preparation for their hearings.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-211-07 be upheld.

04-423E HEARING NO. LT-428 – DWIGHT FAMILY PARTNERSHIP
PARCEL NO. 122-211-18

A petition for Review of Assessed Valuation received from Dwight Family Partnership, protesting the taxable valuation on land and improvements located at 842 Ophir Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

In response to Member Sparks, Appraiser Johnson stated that the Assessor's office follows the law in assessing values of properties.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-211-18 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-424E HEARING NO. LT-975 – EDWARD O., JR., & HELEN J. MYALL,
TR. - PARCEL NO. 122-215-04

A petition for Review of Assessed Valuation received from Edward O., Jr., and Helen J. Myall, Tr., protesting the taxable valuation on land and improvements located at 865 Ophir Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated 020/single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII. He noted that lake view was not used to establish the base lot value of the property.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-215-04 be upheld.

04-425E HEARING NO. LT-58 – BARBARA DORF TR, ET AL
PARCEL NO. 122-215-12

A petition for Review of Assessed Valuation received from Barbara Dorf, Tr., et al, protesting the taxable valuation on land and improvements located at 880 Freels Peak, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-215-12 be upheld.

**04-426E HEARING NO. LT-293 – RONALD B. & BETTY S. PIERACCI, TR.
- PARCEL NO. 127-090-01**

A petition for Review of Assessed Valuation received from Ronald B. and Betty S. Pieracci, Tr., protesting the taxable valuation on land and improvements located at 780 Freels Peak, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-090-01 be upheld.

**04-427E HEARING NOS. LT-384, -397, -776, -818, -1053, -1036, -44, -630,
-1191, -46, -820, -1290, -62, -948, -67, -70, -50, -637, -638A, -639, -52,
-640, -642, -53, -644A, -644B, -644C, -57, -1246, -976, -1037**

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located at Incline Village, Washoe County, Nevada, was set for consideration at this time. The specific location, zoning and present use of the parcels was stated on each individual petition.

Chairman Fox noted there were no Petitioners present for the remaining hearings and the Board had no letters or additional information to consider on the hearings. He asked the Board and the Assessor's office if there were any reasons why the remaining hearings could not be consolidated, and no reasons were given.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the remaining petitions be consolidated.

The Clerk called each hearing and parcel number individually.

Joe Johnson, Appraiser, duly sworn, stated the Assessor would stand on their written record and Exhibits I, II, III, XVII and XVIII, as applicable. In response to Chairman Fox, he confirmed he had no additional information to add to the hearings.

The Petitioners were not present.

The Chairman closed the hearing.

Member Sparks remarked that these petitions are all the same, and that they have “unknown” placed under their opinion of land value, building value and total, and they say the purchase price and date is unknown. He further stated that under “reason” all the petitions state that valuation methods are not supported by statute or regulation, and they also indicate that they will be supplying additional documentation or evidence at the hearings, but nothing else has been received.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor’s Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on the following Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-384	Ronald A. and Donna M. DeCaprio, Tr.	130-170-06
LT-397	Gerhard M. and Eva G. Schneider, Tr.	130-201-14
LT-776	Theodore F. and Barbara S. Marston	130-202-14
LT-818	Shackelford Family Trust	122-129-02
LT-1053	Jay C. and Linda A. Risher, Tr.	122-191-19
LT-1036	Jeanne L. Lipsitz	122-191-20
LT-44	John and Yolanda Falconi	122-191-26
LT-630	Lewie A. and Karen L. Webb	122-192-02
LT-1191	Felix J. and Helen E. Charpentier, Tr.	122-192-07
LT-46	John E. and Joan A. Kindt, Tr.	122-192-08
LT-820	William R. and Mary O’Donnell	122-193-24
LT-1290	Regine Ginsberg	122-193-35
LT-62	Harold A. and Margaret D. Strack, Tr.	122-194-02
LT-948	Marcialyn Wills	122-194-09
LT-67	Robert G. and Suzanne Love, Tr.	122-195-05
LT-70	Alfred and Diana L. Simionato, Tr.	122-201-06
LT-50	John A. and Dorothy A. Michael, Tr.	122-211-05
LT-637	David A. Rotman	122-211-06
LT-638A	Dominick and Dolores A. Iuliano, Tr.	122-211-09
LT-639	Richard A. and Debora Benigno, Tr.	122-211-14
LT-52	Frederick C. and Judith R. Findeisen	122-211-23
LT-640	Hedwig E. Cook, Tr.	122-211-27
LT-642	Richard E. and Margaret A. Monnier, Tr.	122-212-02
LT-53	Duane U. Deverill, Tr.	122-212-05

LT-644A	Irene M. Fenton, Tr., et al	122-212-10
LT-644B	Irene M. Fenton, Tr., et al	122-212-11
LT-644C	Irene M. Fenton, Tr., et al	122-212-12
LT-57	Charles E. and Cathy A. Cecil, Tr.	122-215-01
LT-1246	Mark J. and Keven L. Scully	122-215-03
LT-976	Gerald R. and Penelope R. McCulloch, Tr.	122-215-09
LT-1037	Joseph and Annemarie Lameraner, Tr.	122-215-11

BOARD MEMBER COMMENTS:

Member Obester requested a future agenda item for the Board to discuss the possibility of raising the assessed value of properties on Pine Cone Road and Tiller Drive in Incline Village, Nevada.

Member Schmidt asked that the consistency of percentage reductions on properties on highways such as the Mt. Rose Highway be placed on a future agenda for discussion.

PUBLIC COMMENTS:

Gary Schmidt, Board of Equalization member, stated that not all teardowns were inappropriate for use in establishing land values. He said, as a Board member, he has the authority and responsibility to challenge and investigate the opinions of the Assessor's office. He explained that the 2004 Board of Equalization had not approved the use of any specific teardowns to determine land value, or the general concept of teardowns. The Board has not approved the concept of time-adjusted values. He acknowledged that even if the Board had approved the concepts, any Board member could reject the use in relation to a hearing that was being considered. He requested specific documents from the Assessor in regard to any future hearings dealing with teardowns.

4:00 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 14, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy and Lori Rowe, Deputy Clerks*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

FRIDAY

9:00 A.M.

FEBRUARY 13, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member
Gary Schmidt, Member
Steven Sparks, Member

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
David Watt-Vial, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on February 12, 2004, in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the Petitioners:

Hearing No. LT-645 Steven C. and Christine L. Johnson, Parcel No. 122-213-02

Hearing No. LT-63 Wouternia M. Swets, Parcel No. 122-194-06*

*Hearing reagendaized due to an error placed on the posted agenda regarding the hearing number.

9:00 A.M. - BLOCK

DISCUSSION AND ACTION – POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the Board would first consider the hearings where the Petitioner was present, then consider any petitions where a letter or additional information was submitted, and then any remaining hearings that assert the same of similar reason(s) for the appeal would be consolidated.

Chairman Fox outlined the process for the hearings and the order of the day. He explained the role of the Board of Equalization and the Board's limited jurisdiction. He confirmed that the Board makes no decisions regarding taxes, and he reviewed the functions of the State Board of Equalization.

A petition for Review of Assessed Valuation received from Ernest A. and Grace A. Trujillo, protesting the taxable valuation on land and improvements located at 1045 Tiller Dr., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Ernest A. Trujillo, the Petitioner, was sworn, submitted documents and photographs, Exhibit A, and testified that the vacant land was purchased in 1989 and the home was built 1993. He stated the parcel was an irregular lot with a thirteen-foot drop from street level. He said the parcel backs up to Country Club Mall and has historically been a direct walk through for locals. He explained that in order to obtain a permit to construct a fence for privacy, the Incline Village General Improvement District put an encroachment on the property that decreased the lot size. Further limitations on the property included set backs and recorded easements. He believed his property should be reduced to a base lot value of \$320,000 to place it in equalization with his neighbors, and an additional five percent given for substandard factors that affect his parcel. He reported that Ron Sauer, Senior Appraiser, had informed him that an area real estate person confirmed that properties on Tiller Drive sold at higher prices compared to neighboring areas. He disputed this and said that Tiller properties do not sell for more.

The Petitioner reviewed comparable properties pointing out those that received reductions in their values and the similarities of those to his parcel. He stated that homes on Mill Creek Estates were similar to the homes on Tiller Drive, and the Mill Creek Estates base lot values were set at \$320,000. He said that bright lights, public nuisance from the Mall area and light intrusion should be considered to reduce his base lot value. He declared that consideration was not given for size, shape, frontage, topography and location when the property was assessed.

Senior Appraiser Ron Sauer, duly sworn, reviewed sales of comparable properties substantiating that the Assessor's taxable valuable does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII. He explained that in 1997 an adjustment was made for a path because many people walked through the subject property to get to the condominium complex. He acknowledged that the Petitioner built a fence that alleviated the problem, so no further adjustment was given. He said that behind the subject parcel was 100-200 feet of rough landscaping, no parking was near by, lights and the commercial area were a distance away, and, in his opinion, an adjustment was not necessary.

Member Allison inquired if any of the properties on Tiller Drive had a base lot value of \$320,000, and Appraiser Sauer confirmed that they were all set at \$400,000.

In response to Member Schmidt, Appraiser Sauer explained how the base lot values were determined for Tiller Drive and Mill Creek Estates. He said that initially when the base lot value was determined for Mill Creek Estates it was set at \$400,000, but after further analysis, looking at the sales off of Tiller Drive, it was concluded that Mill Creek was a different neighborhood and the land value was decreased 20 percent for location. He said Tiller Drive was a better neighborhood with nicer homes, large, level, and more uniform lots. He clarified that in the area of Tiller Drive there were a lot of add-ons and remodeled homes.

In rebuttal, the Petitioner stated that the fence did not fully alleviate the problem of people walking through the subject parcel. He said that there were areas on Tiller Drive that had a base lot value of \$320,000. He stated the slope of his driveway and the use of the driveway by the public should be considered to reduce his base lot value.

The Chairman closed the hearing.

Chairman Fox commented on the comparables and stated the subject parcel was adjacent to a commercial area and the lights could impact the property.

Member Obester said that over-all the values were too low in the area presented. He stated that the Assessor has been overly conservative in the estimate of land values. He explained that the law instructs the Assessor to value land at market and not below. He said he would not agree to any motion to lower any property in the area, and he suggested raising the value of other properties.

Member Schmidt agreed and said there may be an equalization problem. He said that instead of lowering the value in the Mill Creek area, the Assessor should have increased the value of the Tiller properties. He suggested seeking an option to keep the subject parcel at \$400,000 and notice the Mill Creek area and raise their values.

Member Allison requested the Board focus on the hearing at hand and no motion should be made to raise values of other properties discussed. She stated she would seek an adjustment for the parcel.

David Watts-Vial, Legal Counsel, clarified that the most the Board could do at this point, in regard to raising rates, would be to place the item on an agenda for discussion. He read the statute and method that would need to be followed to address raising rates.

Member Allison moved to decrease the taxable value of the land by five percent based upon the adverse factors presented by the Petitioner. Chairman Fox

seconded the motion; and, upon call for the vote, the motion failed with Members Allison and Fox voting "yes," and Members Obester, Schmidt and Sparks voting "no."

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-170-07 be upheld.

04-388E HEARING NO. LT-1093 – ROBERT F. M. ATKINSON
PARCEL NO. 122-129-14

A petition for Review of Assessed Valuation received from Robert F. M. Atkinson, protesting the taxable valuation on land and improvements located at 621 Crystal Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He described the neighborhood boundaries and stated the base lot value was \$525,000.

Robert Atkinson, the Petitioner, was sworn, and submitted several documents, Exhibit A, which included his introduction, motions of his requests to the Board, graphs, copies of all his correspondence with the Assessor's office and land sales information. He presented the exhibits and reviewed them with the Board. He testified that he disagreed with the methods used by the Assessor to calculate the taxable land value of his parcel. He stated his frustration with the Assessor's office and said improved communication was needed.

In response to the Petitioner, Steve Churchfield, Chief Appraiser, explained time adjustment values and the process to determine the values.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

In response to Chairman Fox, Ron Sauer, Senior Appraiser, explained how the time adjustment was arrived at for the subject parcel. He confirmed that the time adjustment method went before the State Board of Equalization in 2003 and no problems were found with the method. He said that the Department of Taxation taught the time adjustment procedure to the Assessor, and he confirmed those methods were followed.

In rebuttal, the Petitioner, said he could not present information to dispute the Assessor's methods due to lack of time. He noted a five percent reduction had been given for traffic.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-129-14 be upheld.

04-389E HEARING NO. LT-43 – ERNESTINE C. MESQUIT
PARCEL NO. 122-191-23

A petition for Review of Assessed Valuation received from Ernestine C. Mesquit, protesting the taxable valuation on land and improvements located at 652 Crystal Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Susan Devyak, representing the Petitioner, was sworn, submitted a letter, Exhibit A, and testified that the traffic impacts from Tahoe Boulevard and the irregular size and slope of the lot were adverse factors to be considered for a reduction. She also noted a County easement on the property, and the slope would decrease the amount of coverage available on the lot. She said that size and slope of the lot, the easement and coverage limitations call for an adjustment, as the comparables did not have these adverse factors. She stated that prices have flattened on high-end properties in Incline Village.

In response to Chairman Fox, Ms. Devyak stated that her opinion of the total market value was \$699,000.

Member Sparks discussed the comparables with Ms. Devyak. He inquired if the traffic and adverse factors on the subject parcel would warrant a 40 percent adjustment, and she was unable to confirm the percentage.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable value does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVII. He explained that a five percent discount had already been given for traffic, but an adjustment was not given for the traffic from Crystal Peak.

In rebuttal, Ms. Devyak stated that there was great impact from the traffic on Crystal Peak that should be considered.

The Chairman closed the hearing.

Member Schmidt stated that an additional five percent adjustment should be given for the traffic and location of the lot.

Based on the FINDINGS that adverse factors (traffic and irregular size and slope) were not given enough weight by the Assessor, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of land on Parcel No. 122-191-23 be reduced to \$472,500.00 and the taxable value of the improvements be upheld, for a total taxable value of \$572,081.00. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-390E HEARING NO. LT-65 – GEORGE & TAYLOR MIHALKO
PARCEL NO. 122-194-17

A petition for Review of Assessed Valuation received from George and Taylor Mihalko, protesting the taxable valuation on land and improvements located at 730 Mays Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

George Mihalko, Petitioner, was sworn, submitted a letter, Exhibit A, and testified that Mays Boulevard was a primary connector between Lakeshore and the Village Shopping Center, and that causes a traffic impact for the subject parcel. He said the comparable sales were of much higher quality than Mays Boulevard because of the traffic on Mays Boulevard, a tavern that brings about many police complaints, delivery truck noise, and the area being used as shortcut to avoid a school zone. He explained that the lot was in the curve of the road, and was the only lot on the street that has a 20-foot elevation change from the street to where the home sits. He described the impact of that was in the winter the County snow plows deposit the snow in front of their home, and they cannot get out of the driveway until he removes it. He clarified that he paid \$691,000 for the subject parcel two years ago.

The Petitioner stated that the valuation did not take into account the asbestos that has been found in the house. He had no proof of the asbestos problem with him at the hearing.

In response to Member Sparks, the Petitioner said that Martis Peak and Mays Boulevard could not be compared because of the views, the higher quality of homes and the quieter street.

In response to Member Allison, the Petitioner stated he did overpay for the property. He said an asbestos analysis has been paid for and they plan to have the work done to make the home livable.

Member Schmidt inquired if the Petitioner was aware of the asbestos problem at the time of the sale, and the Petitioner stated that he was.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

Member Sparks inquired about adjustments given to streets in the area, and Appraiser Johnson explained that there were adjustments made on Allen Way due to parcels backing up to a commercial property.

Member Schmidt discussed medians and their use with Steve Churchfield, Chief Appraiser. Member Allison acknowledged that the subject parcel was still under taxable value.

The Petitioner did not have a rebuttal, but agreed with the Assessor's statement that the comparables used were more valuable than his property.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-194-17 be upheld.

04-391E HEARING NO. LT-68 – GARY W. & JENNIFER J. LEE, TR.
PARCEL NO. 122-195-16

A petition for Review of Assessed Valuation received from Gary W. and Jennifer J. Lee, Tr., protesting the taxable valuation on land and improvements located at 716 James Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Gary Lee, Petitioner, was sworn, submitted a real estate flyer and Assessor's Assessment notice, Exhibit A, and testified that he was not in agreement with the comparable sales used by the Assessor. He said there was no view from James Lane. He explained that he owned two homes on James Lane, 737 James Lane and the subject

parcel. He stated the subject parcel has an up-sloping lot. He questioned the variation of the building values of the two parcels because he said they were identical homes. He did not agree with how base lot values were determined. Petitioner Lee stated professionals in the real estate industry recommended he tear down the home and build a new one, or gut the home and fully remodel it. He acknowledged that would be the way to make his home line up with the comparables. He bought the home in 2003 and paid \$1,100,000.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVII. Ron Sauer, Senior Appraiser, explained the differences of the two homes on James Lane, including square footage, size of garage, quality class differences, years the homes were built and number of fixtures. He offered to verify the quality class if the Petitioner desired. He said there were significant differences that would account for the variations in the building values.

In rebuttal, the Petitioner said there were variations in the floor plans because of the slope of the lots. He believes the home on 737 James Lane was the more desirable home and lot. He stated the fixture count might be in error.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-195-16 be upheld, subject to the Assessor's inspection of the property to confirm quality class.

**04-392E HEARING NO. LT-634 – FRANK W. JR. & JUDITH A. SPEES,
TR.PARCEL NO. 122-201-01**

A petition for Review of Assessed Valuation received from Frank W. Jr. and Judith A. Spees, Tr., protesting the taxable valuation on land and improvements located at 713 Joyce Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called. He submitted documents and a letter, Exhibit A, which were reviewed by the Board.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

Member Sparks inquired about the view, and Appraiser Johnson stated view was not a factor for the subject parcel. He pointed out that the Petitioner was only contesting the building value, and he encouraged Appraiser Johnson to contact the Petitioner to verify the quality class.

Chairman Fox commented that there was no owner's opinion of market value listed. He said that the improvements were a mechanical process legislated to use Marshall & Swift replacement cost, and a statutory depreciation schedule. He did not see any evidence to change the improvement value.

The Chairman closed the hearing.

Member Allison noted the Petitioner wanted to use the property as a teardown.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-01 be upheld.

04-393E HEARING NO. LT-950 – GREGORY P. & KERRY P. DONOVAN, TR. - PARCEL NO. 122-211-15

A petition for Review of Assessed Valuation received from Gregory P. and Kerry P. Donovan, Tr., protesting the taxable valuation on land and improvements located at 856 Ophir Peak, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called. He submitted a letter, Exhibit A, which the Clerk read into the record.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-211-15 be upheld.

**04-394E HEARING NO. LT-49 – DONALD GORDAN CUSHING, TR.
PARCEL NO. 122-202-01**

A petition for Review of Assessed Valuation received from Donald Gordan Cushing, Tr., protesting the taxable valuation on land and improvements located at 717 Mays Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-202-01 be upheld.

**04-395E HEARING NO. LT-643 – LEONARD P. & WENDY S. ULLMANN -
PARCEL NO. 122-212-08**

A petition for Review of Assessed Valuation received from Leonard P. and Wendy S. Ullmann, protesting the taxable valuation on land and improvements located at 119 Abbey Peak Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Wendy S. Ullman, the Petitioner, was sworn, submitted photographs, Exhibit A, and said that she did not understand how the land and improvement values are determined. She stated her concern was that no improvements had been completed on the house since 1979. The home was built on a slope, on a single row of cinder blocks and the blocks were falling apart and cracking. She testified that this affected the shape of the house; and there were changes in the siding, windows cracking, cracks inside and outside the house and the cement part of the foundation was cracking. She was not in agreement with the value of the house because of these problems.

Chairman Fox explained the methodology used to value improvements for the Petitioner.

Member Sparks inquired if the Petitioner would allow the Assessor to inspect the home for quality class or to see if the total depreciation should be changed, and the Petitioner was agreeable. She requested that the Assessor come after the snow melts to examine the full affect on the home.

The Petitioner mentioned that teardowns and the moving of an elementary school affected her property value.

Appraiser Johnson reviewed sales of comparable properties substantiating that the taxable valuable does not exceed market value and stated the Assessor would stand on their written record and Exhibits I, II, III and XVII. He stated that when the Assessor was aware of salvage value it would be deducted from the value of the land. He confirmed he would meet with the Petitioner regarding her concerns.

A discussion ensued between the Board members and the Assessor's office about teardowns, the values, deductions and the costs involved.

Member Schmidt said he would challenge the opinion of the Assessor's office in regard to teardowns, he would not automatically accept their opinion and he would require additional documentation from the Assessor to support teardowns of perfectly good houses.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-212-08 be upheld, subject to the Assessor reviewing the improvement taxable value.

04-396E HEARING NO. LT-646 – JOHANN J. LEITER, TR.
PARCEL NO. 122-215-05

A petition for Review of Assessed Valuation received from Johann J. Leiter, Tr., protesting the taxable valuation on land and improvements located at 869 Ophir Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDC and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-215-05 be upheld.

04-397E HEARING NO. LT-1095 – SYD A. & JOANNE M. BROSTEN, TR. –
PARCEL NO. 122-215-13

A petition for Review of Assessed Valuation received from Syd A. and Joanne M. Brosten, Tr., protesting the taxable valuation on land and improvements located at 876 Freels Peak, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-215-13 be upheld.

04-398E HEARING NO. LT-386 – GEORGE & LINDA SEIFERT, TR.
PARCEL NO. 130-170-08

A petition for Review of Assessed Valuation received from George and Linda Seifert, Tr., protesting the taxable valuation on land and improvements located at 1047 Tiller Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-170-08 be upheld.

04-399E HEARING NO. LT-1261 – DENNIS A. & CLAIRE C. PERRY, TR. -
PARCEL NO. 130-201-11

A petition for Review of Assessed Valuation received from Dennis A. and Claire C. Perry, Tr., protesting the taxable valuation on land and improvements located at 110 Selby, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-201-11 be upheld.

04-400E HEARING NO. LT-398 – RAYMOND D. & JUDITH WILSON
PARCEL NO. 130-201-16

A petition for Review of Assessed Valuation received from Raymond D. and Judith Wilson, protesting the taxable valuation on land and improvements located at

1073 Tiller Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter and photograph, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

Member Sparks inquired if lake, forest, or golf course views, or adjacent land or open space were considered in this neighborhood for the base lot value. Appraiser Johnson stated those factors were not considered in the base lot value. He confirmed he did visit the property.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-201-16 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-401E HEARING NO. LT-399 – RICHARD & MARTHA LYAU, TR.
PARCEL NO. 130-201-17

A petition for Review of Assessed Valuation received from Richard and Martha Lyau, Tr., protesting the taxable valuation on land and improvements located at 1075 Tiller Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-201-17 be upheld.

04-402E HEARING NO. LT-422 – ROBERT W. & SUSAN A. POSTLE, TR. -
PARCEL NO. 130-202-12

A petition for Review of Assessed Valuation received from Robert W. and Susan A. Postle, Tr., protesting the taxable valuation on land and improvements located at 1066 Tiller, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

In response to Member Schmidt, Appraiser Johnson confirmed that none of the teardowns in the area of the subject property were left standing. Ron Sauer, Senior Appraiser, acknowledged that when the reappraisal was completed, three had not been torn down at the time, so they were taken off the sales charts. He said there was not a teardown left standing that the Assessor was using as a comparable sale in Incline Village.

The Chairman closed the hearing.

Member Allison commented that values have increased in Nevada and comparables support an increase in the taxes. She stated the Board was not allowed to roll back taxes.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-201-12 be upheld.

**04-403E HEARING NO. LT-774 – JOHN P. MAYFIELD, ET AL, TR.
PARCEL NO. 130-211-09**

A petition for Review of Assessed Valuation received from John P. Mayfield, et al., Tr., protesting the taxable valuation on land and improvements located at 104 Pine Cone Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

Member Schmidt inquired if the Petitioner was sent the information requested in the letter, and Appraiser Johnson confirmed that the Assessor's office sends out information within the time allotted by statute.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-211-09 be upheld.

**04-404E HEARING NO. LT-414 – GERALD F. & FRANCES W. DOHERTY,
TR. - PARCEL NO. 130-211-12**

A petition for Review of Assessed Valuation received from Gerald F. and Frances W. Doherty, Tr., protesting the taxable valuation on land and improvements located at 1110 Tiller Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

In response to Member Sparks, Appraiser Johnson confirmed that although the lot was irregular in shape and larger in size than the comparables, the utility was the same. He said he considered the stream environmental zone located on the subject property when he looked at the base land value. He explained that the Board made adjustments for traffic impacts last year for neighboring parcels, but the subject parcel was set back and not considered to be affected by the traffic.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-211-12 be upheld.

04-405E HEARING NO. LT-415 – JACK M. & CATHERINE J. RASMUSSEN, TR. - PARCEL NO. 130-211-14

A petition for Review of Assessed Valuation received from Jack M. and Catherine J. Rasmussen, Tr., protesting the taxable valuation on land and improvements located at 116 Pinecone Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVIII.

The Chairman closed the hearing.

In response to Members Obester and Schmidt, David Watts-Vial, Legal Counsel, stated that the Board could not discuss an issue that was not on the agenda for the day. If the Board desired to pursue raising the taxable value for this parcel and others in the area, the topic would need to be placed on a future agenda and then the Board could make a decision on whether or not to set a meeting where the Board may or may not decide to have the Clerk notify someone that their valuation may be increased.

Member Schmidt did not agree with that procedure, but he said he would follow the direction of Legal Counsel.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-211-14 be upheld.

04-406E HEARING NO. LT-628 – NEWTON J. & CYNTHIA HARBAND
PARCEL NO. 122-191-16

A petition for Review of Assessed Valuation received from Newton J. and Cynthia Harband, protesting the taxable valuation on land and improvements located at 710 Martis Peak Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

In response to Member Sparks, Appraiser Johnson confirmed that the Assessor's methods had been approved by the Department of Taxation through the Nevada Tax Commission.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-191-16 be upheld.

04-407E HEARING NO. LT-45 – CAROL BRUNO, TR.
PARCEL NO. 122-192-01

A petition for Review of Assessed Valuation received from Carol Bruno, Tr., protesting the taxable valuation on land and improvements located at 639 Crystal Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

Member Sparks inquired if the steep driveway was considered for an adjustment, and Appraiser Johnson confirmed he would contact the Petitioner to review the slope. He stated the parcel did receive an adjustment for traffic impact.

The Chairman closed the hearing.

Member Schmidt stated there should be a ten percent adjustment for traffic impacts from Highway 28, as was given for parcels affected by the Mt. Rose Highway.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-192-01 be upheld.

04-408E HEARING NO. LT-47 - PAUL R. KNOLES ET AL, TR.
PARCEL NO. 122-193-05

A petition for Review of Assessed Valuation received from Paul R. Knoles, et al, Tr., protesting the taxable valuation on land and improvements located at 645 Martis Peak Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-193-05 be upheld.

**04-409E HEARING NO. LT-1132 – JEFF L. & PEGGY B. FISCHER, TR.
PARCEL NO. 122-193-12**

A petition for Review of Assessed Valuation received from Jeff L. and Peggy B. Fischer, Tr., protesting the taxable valuation on land and improvements located at 659 Martis Peak, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated 020/single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-193-12 be upheld.

**04-410E HEARING NO. LT-949 – STEVEN P. SR. & ANITA E. MINGHAM,
TR. - PARCEL NO. 122-194-12**

A petition for Review of Assessed Valuation received from Steven P. Sr. and Anita E. Mingham, Tr., protesting the taxable valuation on land and improvements at 211 Allen Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-194-12 be upheld.

04-411E HEARING NO. LT-64 – JOHN R., SR., & MURIEL W. GAMBLE, TR. - PARCEL NO. 122-194-13

A petition for Review of Assessed Valuation received from John R., Sr., and Muriel W. Gamble, Tr., protesting the taxable valuation on land and improvements located at 207 Allen Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Member Schmidt stated there should be a reduction because of the shape of the lot and traffic duress on the parcel.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-194-13 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-412E HEARING NO. LT-61 – ROB R. SCHUYLER, TR.
PARCEL NO. 122-194-23

A petition for Review of Assessed Valuation received from Rob R. Schuyler, Tr., protesting the taxable valuation on land and improvements located at 696 David Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

Member Sparks commented that the Assessor followed the regulations for proper noticing, and the policy of the Board for 2004 was to not grant any continuance on any hearing.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-194-23 be upheld.

04-413E HEARING NO. LT-633 – PHYLLIS & JOSEPH J. PALERMO
PARCEL NO. 122-195-01

A petition for Review of Assessed Valuation received from Phyllis and Joseph J. Palermo, protesting the taxable valuation on land and improvements located at 701 Martis Peak Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-195-01 be upheld.

04-414E HEARING NO. LT-66 – JOSEPH J. & FRANCINE J. BREZICKI
PARCEL NO. 122-195-03

A petition for Review of Assessed Valuation received from Joseph J. and Francine J. Brezicki, protesting the taxable valuation on land and improvements located at 711 Martis Peak Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

In response to Member Schmidt, Appraiser Johnson confirmed that any information requested by Petitioners was mailed or faxed as soon as it was available. He stated that Exhibit III has not been available until right before the hearings due to the volume of appeals in 2004.

David Watts-Vial, Legal Counsel, explained that there was no requirement that the letters be read aloud to become part of the record. As long as the Clerk has a copy and it has been submitted as evidence, the Board was presumed to have read and considered it and accorded it whatever weight the Board believed was appropriate.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-195-03 be upheld.

**04-415E HEARING NO. LT-69 – KOZO & KATHLEEN M. KIMURA, TR. -
PARCEL NO. 122-195-17**

A petition for Review of Assessed Valuation received from Kozo and Kathleen M. Kimura, Tr., protesting the taxable valuation on land and improvements located at 712 James Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-195-17 be upheld.

**04-416E HEARING NO. LT-1055 – DONALD M., JR., & PAMELA T.
WIGHT, TR. - PARCEL NO. 122-201-04**

A petition for Review of Assessed Valuation received from Donald M. Jr. and Pamela T. Wight, Tr., protesting the taxable valuation on land and improvements located at 725 Joyce Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-04 be upheld.

04-417E HEARING NO. LT-822 – JOHN A. & RHONDA L. BOHN
PARCEL NO. 122-201-05

A petition for Review of Assessed Valuation received from John A. and Rhonda L. Bohn, protesting the taxable valuation on land and improvements located at 729 Joyce Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVII.

In response to Member Sparks, Appraiser Johnson stated that no view rating was included in the base value for the subject property.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-05 be upheld.

04-418E HEARING NO. LT-1033 – JOYCE ASSOCIATES
PARCEL NO. 122-201-07

A petition for Review of Assessed Valuation received from Joyce Associates, protesting the taxable valuation on land and improvements located at 739 Joyce Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Member Sparks encouraged the Assessor to contact the Petitioner to verify the quality class of the improvements.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-07 be upheld.

04-419E HEARING NO. LT-71 – JULIA E. BIAKANJA, TR.
PARCEL NO. 122-201-08

A petition for Review of Assessed Valuation received from Julia E. Biakanja, Tr., protesting the taxable valuation on land and improvements located at 745 Joyce Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII. He explained that the parcel was given a five percent adjustment for a pedestrian easement.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-08 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is

not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-420E HEARING NO. LT-636 – SAMUEL J. & VIRGINIA M. JACOBSON, TR. - PARCEL NO. 122-201-28

A petition for Review of Assessed Valuation received from Samuel J. and Virginia M. Jacobson, Tr., protesting the taxable valuation on land and improvements located at 703 Mays Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-201-28 be upheld.

04-421E HEARING NO. LT-824 – ALFRED N. & HOLLACE K. GERTMENIAN - PARCEL NO. 122-202-14

A petition for Review of Assessed Valuation received from Alfred N. and Hollace K. Germenian, protesting the taxable valuation on land and improvements located at 110 Robert Avenue, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's taxable value of the subject property does not exceed the fair market value. He stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-202-14 be upheld.

**04-422E HEARING NO. LT-51 – SHELDON F. & LOUISE H. CRADDOCK -
PARCEL NO. 122-211-07**

A petition for Review of Assessed Valuation received from Sheldon F. and Louise H. Craddock, protesting the taxable valuation on land and improvements located at 136 Rubicon Peak Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

The Board members discussed the short notice given to petitioners and the impact that could have on their hearings. Member Allison noted that there were no barriers to prevent petitioners from seeking out information to build their cases in preparation for their hearings.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-211-07 be upheld.

04-423E HEARING NO. LT-428 – DWIGHT FAMILY PARTNERSHIP
PARCEL NO. 122-211-18

A petition for Review of Assessed Valuation received from Dwight Family Partnership, protesting the taxable valuation on land and improvements located at 842 Ophir Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

In response to Member Sparks, Appraiser Johnson stated that the Assessor's office follows the law in assessing values of properties.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-211-18 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-424E HEARING NO. LT-975 – EDWARD O., JR., & HELEN J. MYALL,
TR. - PARCEL NO. 122-215-04

A petition for Review of Assessed Valuation received from Edward O., Jr., and Helen J. Myall, Tr., protesting the taxable valuation on land and improvements located at 865 Ophir Peak Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated 020/single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII. He noted that lake view was not used to establish the base lot value of the property.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-215-04 be upheld.

04-425E HEARING NO. LT-58 – BARBARA DORF TR, ET AL
PARCEL NO. 122-215-12

A petition for Review of Assessed Valuation received from Barbara Dorf, Tr., et al, protesting the taxable valuation on land and improvements located at 880 Freels Peak, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-215-12 be upheld.

**04-426E HEARING NO. LT-293 – RONALD B. & BETTY S. PIERACCI, TR.
- PARCEL NO. 127-090-01**

A petition for Review of Assessed Valuation received from Ronald B. and Betty S. Pieracci, Tr., protesting the taxable valuation on land and improvements located at 780 Freels Peak, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 127-090-01 be upheld.

**04-427E HEARING NOS. LT-384, -397, -776, -818, -1053, -1036, -44, -630,
-1191, -46, -820, -1290, -62, -948, -67, -70, -50, -637, -638A, -639, -52,
-640, -642, -53, -644A, -644B, -644C, -57, -1246, -976, -1037**

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located at Incline Village, Washoe County, Nevada, was set for consideration at this time. The specific location, zoning and present use of the parcels was stated on each individual petition.

Chairman Fox noted there were no Petitioners present for the remaining hearings and the Board had no letters or additional information to consider on the hearings. He asked the Board and the Assessor's office if there were any reasons why the remaining hearings could not be consolidated, and no reasons were given.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the remaining petitions be consolidated.

The Clerk called each hearing and parcel number individually.

Joe Johnson, Appraiser, duly sworn, stated the Assessor would stand on their written record and Exhibits I, II, III, XVII and XVIII, as applicable. In response to Chairman Fox, he confirmed he had no additional information to add to the hearings.

The Petitioners were not present.

The Chairman closed the hearing.

Member Sparks remarked that these petitions are all the same, and that they have “unknown” placed under their opinion of land value, building value and total, and they say the purchase price and date is unknown. He further stated that under “reason” all the petitions state that valuation methods are not supported by statute or regulation, and they also indicate that they will be supplying additional documentation or evidence at the hearings, but nothing else has been received.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor’s Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on the following Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-384	Ronald A. and Donna M. DeCaprio, Tr.	130-170-06
LT-397	Gerhard M. and Eva G. Schneider, Tr.	130-201-14
LT-776	Theodore F. and Barbara S. Marston	130-202-14
LT-818	Shackelford Family Trust	122-129-02
LT-1053	Jay C. and Linda A. Risher, Tr.	122-191-19
LT-1036	Jeanne L. Lipsitz	122-191-20
LT-44	John and Yolanda Falconi	122-191-26
LT-630	Lewie A. and Karen L. Webb	122-192-02
LT-1191	Felix J. and Helen E. Charpentier, Tr.	122-192-07
LT-46	John E. and Joan A. Kindt, Tr.	122-192-08
LT-820	William R. and Mary O’Donnell	122-193-24
LT-1290	Regine Ginsberg	122-193-35
LT-62	Harold A. and Margaret D. Strack, Tr.	122-194-02
LT-948	Marcialyn Wills	122-194-09
LT-67	Robert G. and Suzanne Love, Tr.	122-195-05
LT-70	Alfred and Diana L. Simionato, Tr.	122-201-06
LT-50	John A. and Dorothy A. Michael, Tr.	122-211-05
LT-637	David A. Rotman	122-211-06
LT-638A	Dominick and Dolores A. Iuliano, Tr.	122-211-09
LT-639	Richard A. and Debora Benigno, Tr.	122-211-14
LT-52	Frederick C. and Judith R. Findeisen	122-211-23
LT-640	Hedwig E. Cook, Tr.	122-211-27
LT-642	Richard E. and Margaret A. Monnier, Tr.	122-212-02
LT-53	Duane U. Deverill, Tr.	122-212-05

LT-644A	Irene M. Fenton, Tr., et al	122-212-10
LT-644B	Irene M. Fenton, Tr., et al	122-212-11
LT-644C	Irene M. Fenton, Tr., et al	122-212-12
LT-57	Charles E. and Cathy A. Cecil, Tr.	122-215-01
LT-1246	Mark J. and Keven L. Scully	122-215-03
LT-976	Gerald R. and Penelope R. McCulloch, Tr.	122-215-09
LT-1037	Joseph and Annemarie Lameraner, Tr.	122-215-11

BOARD MEMBER COMMENTS:

Member Obester requested a future agenda item for the Board to discuss the possibility of raising the assessed value of properties on Pine Cone Road and Tiller Drive in Incline Village, Nevada.

Member Schmidt asked that the consistency of percentage reductions on properties on highways such as the Mt. Rose Highway be placed on a future agenda for discussion.

PUBLIC COMMENTS:

Gary Schmidt, Board of Equalization member, stated that not all teardowns were inappropriate for use in establishing land values. He said, as a Board member, he has the authority and responsibility to challenge and investigate the opinions of the Assessor's office. He explained that the 2004 Board of Equalization had not approved the use of any specific teardowns to determine land value, or the general concept of teardowns. The Board has not approved the concept of time-adjusted values. He acknowledged that even if the Board had approved the concepts, any Board member could reject the use in relation to a hearing that was being considered. He requested specific documents from the Assessor in regard to any future hearings dealing with teardowns.

4:00 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 14, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy and Lori Rowe, Deputy Clerks*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

SATURDAY

9:00 A.M

FEBRUARY 14, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member
Gary Schmidt, Member
Steven Sparks, Member

Amy Harvey, County Clerk
Leslie Admirand, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on February 13, 2004, in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

9:00 A.M. - BLOCK

DISCUSSION AND ACTION – POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board would first consider the hearings where the Petitioner was present, then consider any petitions where a letter or additional information was submitted, and then any remaining hearings that assert the same or similar reason(s) for the appeal would be consolidated.

Chairman Fox outlined the process for the hearings and the order of the day. He explained the role of the Board of Equalization and the Board's limited jurisdiction. He confirmed that the Board makes no decisions regarding taxes. He reviewed the functions of the State Board of Equalization for the people present at the meeting.

04-428E HEARING NO. LT-958 – ROYCE D. & E. ELANE WOLD, TR.
PARCEL NO. 125-411-05

A petition for Review of Assessed Valuation received from Royce D. and E. Elane Wold, Tr., protesting the taxable valuation on land and improvements located at 939 Jupiter Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4b, and oriented the Board as to the location of subject property.

Royce D. Wold, Petitioner, was sworn, submitted a letter, Exhibit A, and testified that valuation methods used by the Assessor were not supported by statute or regulation, and his property has no view yet it was assessed with a view. He said the comparable sales received in the past from the Assessor listed homes that were not in the area of his property, and this year he did not receive any information on the comparables used to assess his parcel. He stated that area realtors have confirmed parcels in the Apollo area were not worth as much as parcels in other Incline areas due to the higher elevation and the snow depth. Petitioner Wold said his home sits in an avalanche zone, and they have had to vacate the property because of avalanche danger. He said the location of the home was near the Mt. Rose Highway, so it was impacted by excessive truck noise. He discussed a letter received from the Assessor listing 29 vacant land sales that were used to determine his land value, and these included teardowns and partial teardowns. He disputed how the Assessor deals with teardowns and the affect the teardowns have on the value of his parcel. He did not understand why a refund of taxes would not be granted when the Assessor conceded that excess taxes had been paid.

Chairman Fox explained that the Board was not a tax board and had no influence on taxes and no ability to refund taxes. He inquired about the date of the letter from the Assessor, and the Petitioner said November 2002. Chairman Fox stated that values were not carried over from year to year, but a new value was placed on every property in Washoe County every year.

Member Allison used Exhibit III to show the Petitioner that the parcel was not assessed with a view.

Member Sparks inquired what statute or regulation the Petitioner was referring to regarding the valuation methods, and the Petitioner could not state any specific statute or regulation.

In response to Member Sparks, the Petitioner confirmed that they did have to vacate their property in the past due to avalanche danger, and he clarified the comparable sales he used.

Member Schmidt questioned the Petitioner about the teardown he was referring to and the Petitioner said he knew all the facts about the parcel.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII. She explained the information she had regarding the teardown, and confirmed that, once it was determined the sale was between family members, it was removed from the sales chart. The appraiser said that sale was not used for the valuation in the current year.

Member Obester inquired about the base lot value and how it was determined. Appraiser Diezel stated the value was \$190,000. She explained that similar sales with no lake view were used to determine the base lot value. She said the subject parcel has a steep, up-sloping driveway and it received a five percent discount for access.

Member Schmidt inquired about the teardown and the traffic duress. Appraiser Diezel did not have a sales verification letter in regard to the teardown. She explained that the lots that abut the Mt. Rose Highway received a ten percent decrease and lots that have very little buffer between the lot and the highway received a five percent decrease. She said the subject parcel did not have a direct line of sight to Mt. Rose Highway. She acknowledged that traffic impact was considered, but determined not to be a factor.

In rebuttal, the Petitioner said that the highway noise does impact the parcel.

The Chairman closed the hearing.

Member Schmidt said a reduction for the traffic impact would be warranted.

Member Obester moved to decrease the taxable value of the land by five percent based upon traffic impact and to uphold the improvement value. The motion was seconded by Member Schmidt. Upon call for the vote, the motion failed with Members Obester and Schmidt voting "yes," and Members Allison, Fox and Sparks voting "no."

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Members Obester and Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-411-05 be upheld.

04-429E HEARING NO. LT-208 – SUZANNE C. WELSCH
PARCEL NO. 125-564-30

A petition for Review of Assessed Valuation received from Suzanne C. Welsch, protesting the taxable valuation on land and improvements located at 680 Saddlehorn Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She stated the Assessor had a recommendation for the subject parcel, which had been discussed with the Petitioner.

Suzanne C. and John Welsch, the Petitioners, were sworn, submitted a letter, Exhibit A, and Ms. Welsch questioned comparable properties on the West Slope. She noted errors in the number of bathrooms on the appraisal record and agreed with the view classification. She said she approved of the recommendation made by the Assessor.

Mr. Welsch inquired how the comparables were selected and how lot size was determined, and Chairman Fox referred him to the Assessor for the answers to his questions.

Chairman Fox explained to the Petitioners that the Assessor's records were public records and they could be inspected at any time. He said that the Assessor was aware that views change over time; and, if there was question about the view, it could be reviewed by the Assessor.

Member Schmidt said that he saw traffic influence and elevation as factors to consider for the subject parcel.

In response to Ms. Welsch, Chairman Fox clarified that the term improvements meant anything on the property other than the land, such as the house, garage, driveway, sewer system and septic system.

Ms. Welsch stated Incline Village was the only area assessed for views in Washoe County, and she did not think that was fair. Chairman Fox explained that an ingredient for purchasing property in the Incline Village area was the view of Lake Tahoe. He said that people in Reno do not have a view of Lake Tahoe, so they were not charged for a view of the lake, but if they had a city view, they would be charged for that.

Appraiser Diezel reviewed sales of comparable properties and she said her recommendation was to correct the size adjustment from a ten percent upward size adjustment to a five percent upward size adjustment. She explained that the comparables were evaluated by looking at neighborhoods and finding similarities in topography, view, snow influences and similar winter conditions. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In response to Member Obester, Appraiser Diezel explained size adjustments, how they were determined and the rate of the adjustments. She said that there were eleven different base lot values used within the West Slope area, and the base lot value in the area of the subject parcel was \$275,000.

Member Schmidt commented on the affects of higher elevation on properties and agreed that the market does not reflect a need to adjust for differing elevations.

Member Obester questioned the 20 percent downward adjustment given for fronting a private road. Appraiser Diezel explained that the owners have to maintain the road, do their own snow removal, and there was market resistance to having that type

of responsibility. She stated she supports the adjustment and noted it was given in other areas that had similar situations.

In rebuttal, Mr. Welsch asked how it was determined that .46 of an acre would receive the five percent adjustment. Chairman Fox explained the Assessor takes the size of lots from the official maps that are filed; then, through an analysis of market data, they make an estimate of where the market makes a change in value based on size.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal and as recommended by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 125-564-30 be reduced to \$233,750 and the taxable value of the improvements be upheld, for a total taxable value of \$524,792. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-430E HEARING NO. LT-1210 – NIRAN G. & NORMA I. SHAH, TR
PARCEL NO. 125-221-08

A petition for Review of Assessed Valuation received from Niran G. and Norma I. Shah, Tr., protesting the taxable valuation on land and improvements located at 823 Jeffrey Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated 012-vacant land.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Chairman Fox noted that there were no petitioners present for any of the remaining hearings.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel explained the Assessor's recommendation for a downward adjustment for size and small coverage allowance. She said she had discussed this with the Petitioners, and they were in agreement with the recommendation. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal and as recommended by the Assessor, on motion by Member Sparks, seconded by Member

Schmidt, which motion duly carried, it was ordered that the taxable value of the land be reduced to \$117,037. The Board also made the findings that with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

04-431E HEARING NO. LT-1181 – CHARLES A. & JOANNE G. LENZI
PARCEL NO. 125-372-09

A petition for Review of Assessed Valuation received from Charles A. and Joanne G. Lenzi, protesting the taxable valuation on land and improvements located at 936 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4b, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

Chairman Fox said the letter stated that the Assessor's valuation methods were not supported by statute or regulation, but he noted the Petitioner made no reference to any specific statute or regulation.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-372-09 be upheld.

04-432E HEARING NO. LT- 178 – JOHN D. & JOYCE Q. MOORE, TR.
PARCEL NO. 125-463-13

A petition for Review of Assessed Valuation received from John D. and Joyce C. Moore, Tr., protesting the taxable valuation on land and improvements located at 320 Woodridge Way, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In response to Member Sparks, Appraisal Diezel confirmed that the requested information was mailed out to the Petitioner on January 15, 2004. She verified the size of the front porch and said that, if the wet bar was an error, it would be corrected.

Member Schmidt pointed out that a wet bar was a sink in a location other than the kitchen or restroom.

Member Sparks asked the Assessor's office to contact the Petitioner to correct any errors on the assessment, and Appraiser Diezel confirmed that would be done.

The Chairman closed the hearing.

Member Allison commented that the Board does not refund taxes.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-463-13 be upheld.

04-433E HEARING NO. LT-183 – LARRY L. & JULIE A. MARIGOLD
PARCEL NO. 125-482-16

A petition for Review of Assessed Valuation received from Larry L. and Julie A. Marigold, protesting the taxable valuation on land and improvements located at 570 Rockrose Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter and photographs, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-482-16 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

**04-434E HEARING NO. LT-23 – ASA W. III & PATRICIA J.N. COLLINS,
TR., - PARCEL NO. 122-127-08**

A petition for Review of Assessed Valuation received from Asa W. III and Patricia J.N. Collins, protesting the taxable valuation on land and improvements located at 571 Ponderosa Avenue, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4b, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

Chairman Fox noted that the letter referred to an increase in value from one period of time to another, and he stated there was no statutory limitation on the magnitude of changes in assessed value.

In response to Member Schmidt, Appraiser Diezel stated that the base lot value was \$275,000 and there was a 10 percent deduction for the highway traffic. She explained that over the last three reappraisals, the Assessor has used paired sales analysis to determine the affect of traffic on the parcels that front either the Mt. Rose Highway or Highway 28. The results of the studies were inconclusive, but the Assessor concluded that a 10 percent deduction would cover the visual impact, accidents, and noise and recognize the detriment to the parcel.

The Chairman closed the hearing.

Member Schmidt gave the traffic count for the Mt. Rose Highway and Highway 28. He said air pollution should be considered in regard to high traffic areas.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-127-08 be upheld.

04-435E HEARING NO. LT-140 – JAMES R. & CONSTANCE K. NOWLIN
PARCEL NO. 125-152-08

A petition for Review of Assessed Valuation received from James R. and Constance K. Nowlin, protesting the taxable valuation on land and improvements located at 884 Tyner Way, Incline, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4b, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-152-08 be upheld.

04-436E HEARING NO. LT-26A – DOUGLAS & CAROL JUAREZ, ET AL
PARCEL NO. 122-127-15

A petition for Review of Assessed Valuation received from Douglas and Carol Juarez, et al, protesting the taxable valuation on land and improvements located at 597 Ponderosa Avenue, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4b, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which Appraiser Diezel read into the record and the Board reviewed and discussed.

Steve Churchfield, Chief Appraiser, stated that the information requested by the Petitioner was mailed on January 28, 2004, and the Assessor was within the time frame established by statute.

Appraiser Ivy Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-127-15 be upheld.

**04-437E HEARING NO. LT-889 – LEONARD A. AND BARBARA
BROSNAN - PARCEL NO. 125-251-13**

A petition for Review of Assessed Valuation received from Leonard A. and Barbara Brosnan, protesting the taxable valuation on land and improvements located at 772 Randall Avenue, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel explained that she conducted an interior inspection of the subject parcel; it was determined that the correct view classification should be V0; and she recommended that the land value be reduced to \$190,000.00. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal and as recommended by the Assessor, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land on Parcel No. 125-251-13 be reduced to \$190,000 and the taxable value of the improvements be upheld for a total taxable value of \$485,789. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-438E HEARING NOS. LT-1194, -1250, -981, -1067, -1068, -1166, -1144, -216, -739, -182, -187, -860, -655, -24, -872, -129, -142, -143, -729

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located in Washoe County, Nevada, was set for consideration at this time. The specific location, zoning and present use of the parcels was stated on each individual petition.

Chairman Fox noted that there were no more petitioners present for the remaining hearings and there were no letters or additional information provided for the Board to examine. He inquired of the Board and the Assessor's office if there were any reasons why the hearings could not be consolidated, and no reasons were stated.

Member Sparks commented that after inspection, all the Petitions stated the same information, they were all rubber-stamped with no owner's opinion of value, and the only statement made was that the valuation methods were not supported by statute or regulation. He said there was no request for relief from the Board.

On motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the remaining petitions be consolidated.

The Clerk called each hearing and parcel number individually.

Ivy Diezel, Appraiser, duly sworn, and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

No Petitioners were present.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on the following Assessor's Parcels be upheld:

Hearing No.	Petitioner	Parcel No.
LT-1194	Mimi Z. Violin	125-041-02
LT-1250	Kurt E. Dunshee	125-171-23
LT-981	Michael P., Jr., and Susan J. Kurey	125-173-12
LT-1067	Micha R. and Milly J. Corneil	125-231-21
LT-1068	Richard L. Bell	125-352-01
LT-1166	Michael Flores et al	125-362-07
LT-1144	Katherine L. Von Husen	125-371-04
LT-216	Robert L. Maddox, III, Tr.	125-443-15
LT-739	Richard D. and Cecille A. Hanson, Tr.	125-386-07
LT-182	Stephen K. and Nancy M. Herr	125-482-08

LT-187	Rosemary B. Rowan	125-492-07
LT-860	John R. and Barbara L. Barbee	125-522-01
LT-655	E. Dale and Nancy M. Cox, Tr.	122-052-15
LT-24	Earl G. and Elizabeth C. Kelley	122-127-09
LT-872	Joan C. Dennison	122-134-05
LT-129	Robert E. and Betty R. Fort	125-132-07
LT-142	Michael R. and Ann L. Buggy, Tr.	125-151-20
LT-143	Jack S. and Kimberly R. Taylor	125-172-01
LT-729	Nola Masterson and Bruce Jenett, et al	125-185-27

PUBLIC COMMENTS

Gary Schmidt, Washoe County resident and Board member, stated that there is no responsibility for the County to provide access to public records in the future. For example, if someone requested Exhibits from the hearings this year and desired they be mailed year after year, the County would have no obligation to fulfill that request. He said in County policy there is an obligation that, when confusion arises as to what the public is asking for, the County is to engage in a dialog with the petitioner to clarify what they are requesting. He explained that the County, meaning the Assessor's Office, should call petitioners to clarify the information they are requesting; and, if they desire documents that are not prepared yet, these should be mailed as soon as they are ready.

* * * * *

10:50 a.m. There being no further hearings or business to come before the Board, the Board recessed until February 17, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy and Lori Rowe
Deputy Clerks*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

TUESDAY

9:00 A.M.

FEBRUARY 17, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Gary Schmidt, Member
Steven Sparks, Member
Jon Obester, Member
Marcia McCormick, Alternate Member

Nancy Parent, Chief Deputy Clerk
Leslie Admirand, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on February 14, 2004 in the South Conference Room (Room B), Washoe County District Health Building, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

OATH OF OFFICE - MARCIA MCCORMICK, ALTERNATE

Chief Deputy Clerk Nancy Parent administered the Oath of Office to Marcia McCormick, Alternate Member, Washoe County Board of Equalization. Chairman Fox advised that he would be leaving the meeting later in the morning and Member McCormick would sit with the Board after that time so there would be a full Board.

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the Petitioners:

Hearing No. LT-978, Reginald L. & Jan, Ohlssen, et al., Parcel No. 124-043-15
Hearing No. LT-1084, Bernard C. & Catherine S. Rhaesa, Parcel No. 132-211-25
Hearing No. LT-1177, Waldman Investments, Inc., Parcel No. 132-232-08
Hearing No. LT-1176, Waldman Investments, Inc., Parcel No. 132-231-20

9:00 A.M. - BLOCK

DISCUSSION AND ACTION – POSSIBLE CONSOLIDATION OF HEARINGS

Chairman Fox advised that the Petitioners scheduled in the 9:00 a.m. Block are represented by Attorney Norman Azevedo. Blaine Cartlidge, Deputy District

Attorney, would represent the Assessor's Office. The Chairman further advised that Mr. Azevedo had suggested grouping the hearings by the issue(s), such as those with similar locations, those in the process of litigation, those that are disputing the view, or those with other similar concerns. In regard to those in the process of litigation, Mr. Azevedo advised that those appeals were filed to protect his clients' interests in the litigation without waiving their rights for the current year. He stated it would be reasonable to consolidate those hearings because of their commonality of being in the litigation and their desire to preserve the issues raised last session. Mr. Cartlidge stated it was his understanding that requests from Petitioners to incorporate the records of last year's appeal into this year have been denied by the Board. A discussion ensued concerning resubmission of evidence from last year's hearings, and the Board Members wanted to make sure the evidence upon which their decisions today are based is evidence for this year. Deputy District Attorney Admirand stated that all petitioners' exhibits would go forward to the State Board.

Chairman Fox asked for a consolidation motion for use when it is appropriate. He further requested that Mr. Azevedo be able to consolidate his clients' hearings as he saw fit. On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board would first consider the hearings where Petitioners are present, then consider any petitions where a letter or additional information was submitted, and then the remaining hearings that assert the same or similar reason(s) for the appeal would be consolidated.

Attorney Azevedo requested to be able to make opening remarks that would apply to all of his clients and which information would be incorporated into each person's file.

04-439E HEARING NO. LT-41 – KENNETH BAKST, ET AL.
PARCEL NO. 122-181-51

A petition for Review of Assessed Valuation received from Kenneth Bakst, et al., protesting the taxable valuation on land and improvements located at 835 Lakeshore Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property by outlining it on the aerial photograph.

Norman Azevedo, Attorney, duly sworn, representing the Petitioner, and Dr. Alvin Bakst, Petitioner, were sworn and submitted documents, Exhibit A.

Mr. Azevedo submitted one copy of Exhibits 1 through 18A and B on behalf of all his clients. The Board members had to share the Exhibits and pass them to each other. Exhibits 1 through 4 were correspondence between Mr. Azevedo and the Washoe County Assessor. He stated that Exhibit 5 was the Record on Appeal from the

District Court case, which he previously discussed with the Assessor's Office concerning whether to provide the actual 8,000 pages to the Board; and it was decided to just submit the Record on Appeal. However, since he has learned that the Board is not including anything by reference, he requested a ruling from the Board as to whether that would be permissible. Deputy District Attorney Carlidge stated it was his understanding that Mr. Azevedo had been instructed by the Assessor's Office to contact him or Ms. Admirand regarding that; and they were not contacted. He also stated he was not sure those records are relevant, but asking the Board to review some 8,000-9,000 pages the morning of the hearings does not seem helpful or efficient. Steve Churchfield, Chief Appraiser, confirmed that he and Senior Appraiser Ron Sauer did meet with Mr. Azevedo and advised him that he was welcome to get the information into evidence any way he felt was appropriate, but that he should talk to the attorneys. Appraiser Sauer confirmed this information.

Member Schmidt asked Mr. Azevedo what information was contained in the 8-9,000 pages. Mr. Azevedo advised it is all of the transcripts, petitions, exhibits and letters from last year's hearings before this Board and the State Board. Member Schmidt said the Board has accepted all evidence presented so far this year, but when he did not have an opportunity to appropriately review the evidence, he abstained from voting. He further said he could not review material he could not see and assimilate.

Chairman Fox ruled that the Board would only accept into evidence what they could see today and would make a decision based on the information they have before them today. Mr. Azevedo asked the Chairman if he was denying incorporation by reference into the record of the materials currently present in the District Court litigation from last year. Chairman Fox restated that the Board is only going to consider the testimony and evidence presented in the hearings today. Legal Counsel Admirand concurred that the Board has followed the rule of only deciding petitions based on the evidence in front of them the day of the hearing.

Member Schmidt moved that the Board accept a copy of the 8-9,000 pages from the previous hearings and court cases. The motion died for lack of a second.

Mr. Azevedo then listed the remaining exhibits that will apply to his clients' hearings:

Ex. 6. Memo from the Washoe County Assessor's Office to the 2004 County Board of Equalization dated January 21, 2004.

Ex. 7. 2003 State Board of Equalization Decisions on Mr. Azevedo's clients. He stated he would anticipate that those decisions would govern the conduct of this body.

Member Sparks requested Mr. Azevedo read those decisions or provide more information since he has not had an opportunity to review them. Chairman Fox reminded everyone that the Board is hearing the year 2004/05 values, and advised that

the County Board would be bound by decisions made by the State Board if there are no changes in fact or circumstances.

Ex. 8. Transcripts of the August 18 and 19, 2003 State Board of Equalization meetings, which is a portion of the 8,000-page document.

Ex. 9. Document prepared by the Washoe County Assessor in 2003 applicable to lakefront properties delineating a per front foot price to determine the land value based on rock size and depth of lot. He explained that the Assessor has delineated that on lakefront properties there are at least six different types of rock present on properties that run from the property into the water. Those rocks are sandy, sandy-cobble, cobble, cobble-rocky and rocky. He submitted two rocks as Exhibits 18A and B, but said the rocks were not from Lake Tahoe; they were from his property and were demonstrative evidence only.

Ex. 10. Transcript from the State Board of Equalization hearing on September 15, 2003 addressing lakefront properties.

Ex. 11. "The Appraisal of Real Estate," Twelfth Edition, page 335. Mr. Azevedo stated the significance of this exhibit is that the County is using the Tenth Edition, whereas the State is using the Twelfth Edition.

Ex. 12. "USPAP 2003," Uniform Standards of Professional Appraisal Practice, Standard 6: Mass Appraisal and Standards Rule 6-5.

Ex. 13. Photographs applicable to Hearings Nos. LT-1221 and LT-1222.

Ex. 14. Photographs applicable to Hearing No. LT-1241.

Ex. 15. Photographs applicable to Hearing No. LT-1238, 1239 and 124.

Ex. 16. Photographs applicable to Hearing No. LT-1057 and 1058.

Ex. 17. Photographs applicable to Hearing No. LT-448.

Ex. 18A and B - Rocks

Mr. Azevedo then testified that his clients believe the assessment methods employed by the Washoe County Assessor are not supported by the statutes and regulations governing the assessment of property.

Mr. Azevedo referred to his Exhibit 5 and stated his lakefront property clients are concerned about the criteria used for determining the type of land, such as sandy, sandy-cobble, cobble, cobble-rocky and rocky, which is how the Assessor determines the per front foot value of the land. He further stated that in Crystal Bay there is a different category for boulders, and the Assessor uses a different method entirely.

His clients believe these designations are subjective and make it hard for them to figure out if the assessments are correct. Mr. Azevedo discussed the per foot value of the different land types and drew the Board's attention to the photographs in his exhibits showing the different rock types. He stated that most lakefront properties are approximately 100 feet and a differentiation of \$2,500 per foot based on the type of rock on one's beach, has a huge impact on property values. With no standard to measure by, the lakefront property owners are at a loss, and he does not believe this method of valuing property is applicable.

Chairman Fox asked Mr. Azevedo if market sales would be the ultimate decision-maker on property values. Mr. Azevedo agreed and said he believes there are several ways to make the process more equitable. There were not many lakefront property sales to help set values; and he believes if there are no sales, the assessments should remain the same as the year before.

Mr. Azevedo also noted that the depth of the land designation is also felt to be subjective and without standard. Time adjustments, which are used by the Assessor's Office in lieu of market sales, are also a concern for his clients. He believes the lakefront property owners were substantiated in their concerns by the sale of the "Quiet Waters" property, which had been on the market for several years for \$22 million and finally sold in 2003 for around \$11.5 million.

Chairman Fox asked Mr. Azevedo if the State Board upheld time adjustments as a legitimate assessment method. Mr. Azevedo said they had. The Chairman also asked Mr. Azevedo if he was aware that the Department of Taxation taught the Assessor's staff the method of time adjustments. Mr. Azevedo said the Department teaches three methods of time adjustment in relation to assessments.

Mr. Azevedo stressed that the assessments need to be uniform and equal. He believes in standards to go by for assessments. The concept of "teardowns" was also an area of concern for comparables to his clients. He questions the use of the 12th edition *Appraisal of Real Estate* for assessments because of the inconsistency regarding various issues including "teardowns."

Dr. Alvin Bakst, Petitioner, testified that he is protesting the assessment of his land. He said he received a nine percent reduction last year from the Board, but based on the sale of the "Quiet Water" property for \$11.5 million, he believes that his parcel has a taxable value of \$1,393,074. He said he currently receives a ten percent reduction because of the sewer line on his property, but believes that should be a 20 percent reduction because maintenance workers are on his property a full day each week, not to mention for emergency maintenance. The maintenance workers park in his driveway during these times, causing an inconvenience to him and his family.

Dr. Bakst also noted comparable properties in Douglas County and stated the two counties are not assessed equitably. He believed his property and home should be kept at 2001 levels.

Mr. Azevedo noted that the land designation of Dr. Bakst's property is "sandy-cobble."

Deputy District Attorney Blaine Cartlidge gave the Nevada Revised Statutes (NRS) background for property taxes and mass appraisal information and reminded the Board of the instructions that had been introduced in January which were to be the basis of decisions by the Board. He also stated that only one exhibit packet had been provided by Mr. Azevedo, on behalf of his clients, which makes it difficult for the Board to assess the information, when the burden of proof is on the Petitioners or their agent.

Mr. Cartlidge stated that Mr. Azevedo's arguments this year are similar to last year's, which is that the only valid measurement of assessment is comparative market sales price. This ignores State law, which requires adjustments on assessments for a variety of other circumstances.

Member Sparks questioned whether "listing price" could be used. Mr. Cartlidge said sales price is one of the factors to be used, and it was based on the words "actually paid," not listings. The concern with using this method exclusively is that it does not take into account when the sale occurred and that it may not be reflective of the current market and whether it could be "identical" to the assessed property.

Mr. Cartlidge said the Nevada Administrative Code (NAC) and NRS give a general framework for mass appraisal, which is consistent with legal rulings over the last 40 years. He further stated that the Statutes are the Nevada Tax Commission's legal basis for property tax assessments. He distributed a copy of a 1991 letter from the Department of Taxation to the County Assessor stating the need to have a manual of policies and procedures for assessments. The letter notes the manual will be a general concise source of information covering the typical concerns and cites the Nevada statutes that are the basis of the assessments.

Mr. Cartlidge restated that the Nevada State Supreme Court requires that the petitioners need to provide substantial proof that the Appraiser's assessment is incorrect or the appraisal must be upheld. The appraisal is assumed to be correct unless proven incorrect.

Member Sparks said textbooks and manuals are guidebooks. He asked Mr. Cartlidge if there might be some concerns in applications of the guidelines if 38 of 50 of Mr. Azevedo's clients' view assessments were changed last year. Mr. Cartlidge said many of those assessments were changed by the Appraisers when they were able to go assess individual properties, and changes can occur in views over time during the five-year assessment cycle due to tree growth and other factors. He said the Appraisers would go look at any property if they are asked, and the mass appraisal work isn't perfect, but the guidelines are valid.

Chairman Fox stated that 50 people who complained about their views may not be representative of the 7,000 view parcels in Incline Village. Mr. Cartlidge agreed.

11:50 a.m. Chairman Fox left the meeting, and Vice Chairman Allison assumed the gavel. Alternate Member Marcia McCormick was seated.

Appraiser Warren reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Warren stated the Assessor would stand on their written presentation and Exhibits I, II, III and XX. He stated the comparable sales were substantially more than the subject property. He also noted the subject property was given downward adjustments for the sewer easement and for being a flag lot.

Vice Chairman Allison asked about the sewer easement. Appraiser Warren said the ten percent reduction was based on the detrimental inconvenience of the easement. Member Schmidt asked about the weekly sewer check and the permanent access box on the property. Appraiser Warren said the weekly checkup could take from minutes to hours, but he did not know if the box could be seen from Dr. Bakst's house.

Vice Chairman Allison asked Appraiser Warren about comparisons between Washoe County assessments and Douglas County assessments. Appraiser Warren said they only compare Washoe County sales. Vice Chairman Allison stated that in all other assessments, the Board has only considered Washoe County comparables.

Member Obester questioned the ten percent reduction time adjustment on the lakefront properties last year. Member McCormick asked if the property has a pier and Appraiser Warren stated it does, but the assessment is for the right to have a pier, not the actual pier.

Member Schmidt asked Legal Counsel if State law prevents using comparables from other counties. Deputy District Attorney Admirand said she knew of no statute preventing that, but for county equalization it would make sense to look only in the county for comparables. Member Obester asked about Appraiser Warren's credentials and he replied that his credentials are through the Appraisal Institute, which uses USPAP standards.

Petitioner Bakst stated his comparable sales were old, but they were the ones the Assessor gave him. He further reiterated that ten percent of his land is used by the easement for which he receives a ten percent reduction, but he is requesting ten percent more because of the inconvenience of setting up appointments with the sewer workers, who need to call him before they come on the property so he can bring in his dog.

Mr. Azevedo restated his concern regarding assessments for view and rock classifications especially for the homeowners, who can't figure out their classifications. He pointed out that mass appraisal methods and individual view classifications are not possible and that is why there were adjustments on 38 out of the 50 appeals last year.

Mr. Azevedo said that Dr. Bakst questions his rock classification, which is sandy-cobble, or the second best. The comparables to Dr. Bakst do not have the same classification. He also stated he believes that Dr. Bakst's classification should be rocky, but because there are no standards to compare, he cannot be sure.

Member Sparks pointed out that on Dr. Bakst's Exhibit III, the designation is not sandy-cobble, but rocky.

The Vice Chairman closed the hearing.

Based on the FINDINGS that adverse factors (maintenance of the sewer pump station) were not considered by the Assessor, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried, with Member McCormick voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 122-181-51 be reduced to \$2,665,130 and that the taxable value of the improvements be upheld for a total taxable value of \$3,001,521. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-440E HEARING NO. LT-54 – JAMES & VIRGINIA H. NAKADA, TR.
PARCEL NO. 122-212-13

A petition for Review of Assessed Valuation received from James and Virginia H. Nakada, Tr., protesting the taxable valuation on land and improvements located at 828 Freels Peak Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

James Nakada, Petitioner, was sworn and submitted documents, Exhibit A. He questioned the size of his house on the assessment and the classification based on new landscaping to his lot. He also stated he has a drainage easement on his property and a slope on the lot, which should be considered in the assessment. Petitioner Nakada said his property has no view.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Johnson stated that the figures Mr. Nakada was using for the size of the house were from

the MLS, not from the Assessor's records. He further advised the subject property is not assessed as lakefront property and was not assessed for a view. Appraiser Johnson stated the Assessor would stand on their written presentation and Exhibits I, II, III and XVII.

Mr. Nakada said he had not had time to review the documents he received today.

Norman Azevedo, Attorney, duly sworn, testified that he was speaking just to preserve Mr. Nakada's legal rights regarding tear-downs and time adjustments.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-212-13 be upheld.

04-441E HEARING NO. LT-1104 – DANIEL S. & IRENE S. SCHWARTZ
TR. - PARCEL NO. 122-530-32

A petition for Review of Assessed Valuation received from Daniel S. and Irene S. Schwartz, Tr., protesting the taxable valuation on land and improvements located at 475 Lakeshore Boulevard, #32, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She stated the exhibits that apply to this hearing are Exhibits I, II, III and V.

Attorney Norman Azevedo, duly sworn, was present representing the Petitioner, Daniel Schwartz, who was also present. Mr. Azevedo testified that he questions the land to building ratio on this parcel. He said that single-family residence land-to-building ratios were compared to condominium land-to-building ratios, which he feels is not appropriate.

Dan Schwartz, Petitioner, was sworn and presented photos, Exhibit A, and testified that he based his property values on property sales and view. He questioned which information was used for the assessments. The information he received this morning is different than what he had received previously.

Member McCormick asked about access to the beach and was told this unit does not have direct access, and they have to go through another unit to get to the beach.

Blaine Cartlidge, Deputy District Attorney representing the Assessor's Office wanted to make sure his comments at the beginning were to be used in all Mr. Azevedo's clients' hearings.

Appraiser Del Giudice reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated this unit does not have beach access, but the unit next to the subject property does not have direct beach access either and is in escrow for \$1.55 million. She stated that the closed porch the Petitioner was concerned about is the storage unit on each deck. Appraiser Del Giudice said the land values of this area are 75 percent of the total assessed value. She further stated that single-family residence comparables were not used in this assessment, and only other lakefront condominiums were used as comparables. She added that the different dates for the improvements are based on a formula for remodeled units, and that this formula is from the Nevada Revised Statutes and used throughout the State. Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Mr. Azevedo questioned the allocation method for valuing condominiums and asked that the Assessor's study determining the percentages be presented as an exhibit and made a part of the record. Appraiser Del Giudice stated it was the same exhibit as was used last year, and she would be happy to provide another copy. Member Schmidt requested a copy of the exhibit as well, noting that he was not a Board Member last year. Chief Appraiser Churchfield stated staff would bring a copy back after the lunch break.

Dan Schwartz, Petitioner, questioned the Appraiser's remodeling formula to arrive at the condominium's improvement date. He also disputed that he has access to the Lake. Petitioner Schwartz pointed out that two of the comparable sales were sold furnished and no allowance was made for that.

Vice Chairman Allison asked Mr. Schwartz if he would like to have the Appraiser come view his property to answer any questions he may have.

Member Schmidt questioned the formula used for the base land value and for the improvements, but also noted the subject's assessment is much lower in value than the comparable sales, so he would support the Assessor's assessment.

Member McCormick said that in looking at the comparables presented, there is no question that the subject property is under valued.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-530-32 be upheld.

1:20 p.m. The Board recessed for lunch.

2:00 p.m. The Board reconvened with Vice Chairman Allison presiding and Members Schmidt, Sparks and McCormick present. Member Obester was late returning.

04-442E **HEARING NO. LT-1226 – ESMAIL D. ZANJANI, ET AL.**
PARCEL NO. 123-151-05

A petition for Review of Assessed Valuation received from Esmail D. Zanjani, et al., protesting the taxable valuation on land and improvements located at 374 Anaho Road, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDR and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Norman Azevedo, Attorney, duly sworn, was present representing the Petitioner. He advised that Mrs. Zanjani was present, but had left. Mr. Azevedo submitted his Exhibit 19, partial transcript of 2003 CBOE hearing concerning time adjustment. He stated the Zanjani's are litigation clients and they question the allocation methodologies used because they yield higher land values, which included teardowns and time adjustments. The State Board reduced the subject's value last year, but they believe it is still over-valued. He stated he would rest on his submissions.

Appraiser Warren reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Warren stated the Assessor would stand on their written presentation and Exhibits I, II, III, XI and XXII. He said the subject is a unique parcel, and it was valued using the nearest sales on Gonowabie Road. Appraiser Warren further stated no teardowns were used as comparables. The comparables were smaller so adjustments needed to be made on the plus side and negative adjustments were made for subject topography.

Vice Chairman Allison asked if the property had a pier and Appraiser Warren said it did not. She also questioned what the "Option 4/97" and "Option 9/99" on the comparable portion of Exhibit III meant. Appraiser Warren explained those were options for contracts to buy these properties, and that was when the price was negotiated.

Member McCormick asked about the lakefront portion of the subject. Appraiser Warren said there was a lot of privacy because there were few neighbors in close proximity.

In rebuttal, Mr. Azevedo said that the Tahoe Regional Planning Agency (TRPA) has limited this house to its current size. He also discussed the topography of

subject stating that there are steps down to the Lake for about 200 feet, and there is a long driveway because of the lot topography. The State Board made a reduction on the lot value based on a portion of the lot being sold for public lands. They believe that a further reduction is due because of the limits of building on the property.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Sparks, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-151-05 be upheld.

04-443E HEARING NO. LT-1230 – JAMES M. & MAUREEN C.
MORIARTY - PARCEL NO. 123-260-08

A petition for Review of Assessed Valuation received from James M. and Maureen C. Moriarty, protesting the taxable valuation on land and improvements located at 455 Lakeshore Boulevard, Unit H, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 035-MDS and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5a, and oriented the Board as to the location of subject property.

Norman Azevedo, Attorney, duly sworn, was present representing the Petitioner, James Moriarty, who was also present. Mr. Azevedo stated he would like to incorporate his comments concerning condominium values from the Schwartz hearing. He also noted that last year the Board lowered the land value, but the State Board of Equalization reversed that reduction, and Mr. Moriarty is a litigation client.

James Moriarty, Petitioner, was sworn and testified that Lakeshore Towers is a seven-story commercial grade building and is the only condominium that looks like a commercial building in Incline Village. His concern was with the land value of his unit in comparison to the unit directly below his. Petitioner Moriarty stated his land value is \$1,200,000 and the base value of the unit right below his is \$700,000. He also commented that he receives more road noise than his neighbors below and that the views in each are identical.

Vice Chairman Allison asked the Petitioner when he purchased the subject and much he paid. Petitioner Moriarty stated he bought it for \$1,975,000 in 2000.

Appraiser Del Giudice said subject's value is \$500 per square foot and the comparable sales range from \$632 to \$845 per square foot. She said the comparable sales substantiate that the Assessor's value does not exceed fair market value. Appraiser Del

Giudice stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Schmidt asked about base lot values for this building and was told it was based on floor and sales prices of comparable units. The comparable sales were time adjusted and represented all but the 5th and 7th floor over the past several years.

Petitioner Moriarty said the unit has been for sale for nine months for \$2.4 million, and he has received no offers. He said that condominiums in this type of high-rise building seem to be less "Tahoe-like." He said he still does not agree with the differences in his base value and that of the unit below him. The Petitioner commented that there are differences in square footage because of owners who enclosed their decks and some units do not have covered parking.

The Vice Chairman closed the hearing.

Member Schmidt said that the property value is much lower than cash value, but he questioned the Assessor's base values and why the 7th floor should be valued higher.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried with Member Schmidt voting "no," and Member Obester absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-260-08 be upheld.

04-444E HEARING NO. LT-430 – LESLIE P. BARTA
PARCEL NO. 125-232-24

A petition for Review of Assessed Valuation received from Leslie P. Barta, protesting the taxable valuation on land and improvements located at 812 Jeffrey Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Norman Azevedo, Attorney, duly sworn, was present representing the Petitioner, Leslie Barta, who was also present. Mr. Azevedo stated the issue on subject property is view classification and requested that his previous comments regarding views be included in this hearing.

Vice Chairman Allison reminded the Petitioners present that they could make an appointment with the Assessor's Office to have an appraiser come inspect their

property and verify the correct view classification or other information concerning their assessment.

Member Schmidt disclosed that he was an acquaintance of Mr. Barta, but said he would like to participate unless Mr. Barta had a concern. Mr. Barta said he did not.

Petitioner, Les Barta, was sworn, submitted Exhibit A, Correspondence and Response to Assessor's Opening Statement, and testified that he sent a letter to the Assessor's Office on December 23, 2003 requesting the complete appraisal record on his property and only today got the latest appraisal. He said this was a blatant violation of the statute and due process.

Vice Chairman Allison requested a copy of the letter and read same into the record.

Petitioner Barta said he originally received a fifty-page packet of information for the area assessments, but not the information specific to the assessment of his property. He questioned the methods of assessment used to value properties and the comparable sales used by the Assessor to determine land values. In response to Member Sparks, the Petitioner explained what he believed are the differences between taxable value and market value systems; and a discussion ensued concerning the principles of valuing property one way or the other. Mr. Azevedo stated the statutes are what the Petitioners are questioning.

Mr. Barta said he believes the land should be about one third of the total value. He further stated that he had an appraisal done for refinancing that valued the land and improvements at \$980,000. Petitioner Barta also stated he does not agree with the Assessor's view classification on his property and questions the whole concept of classifying views and applying a value, which system was never approved in statute.

Chief Appraiser Steve Churchfield from the Assessor's Office stated that the Department of Taxation did review the Assessor's view classification system and approved and endorsed it.

Mr. Azevedo said that review was done on a ratio study basis and was not completely approved, because it was not done on every parcel.

Mr. Barta stated that views should not be used as a basis for assessments.

Blaine Cartlidge, Deputy District Attorney, said that the Department of Taxation ratio studies were done in 1993 and 1998; and they found that the County Appraisers made a coordinated effort to assess views and found the designations to be a relatively quick, concise and reliable way of grading the type and quality of views. He stated he wonders why the petitioners do not have an expert put together another system or help to explain the differences in what they think would be a better system. He

expressed all the factors that go into making up an assessment of each parcel. He said it is a mass appraisal process, not one that allows appraisal of each parcel. An individual appraisal is only done when a parcel is appealed.

2:50 p.m. Member Obester returned to the meeting.

Member Schmidt asked if the Assessor looks only for comparables that uphold the values. Appraiser Churchfield commented that they look for all comparable sales and, when necessary, request reductions to property values.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written presentation and Exhibits I, II, III, IV, IVa and XII.

Member Schmidt asked when the last time an on-sight assessment was done. Appraiser Diezel stated the subject property was inspected in January 2003 and the view classification was verified. Appraiser Diezel also stated the base lot value for subject property is \$600,000 and that the Petitioner received a five percent reduction because of the slope of his driveway.

Mr. Azevedo stated that his clients do not want to go back to a market based system for assessments. He submitted photos of Mr. Barta's views and said he believes that the V-5 is too high because of the street views he has.

The Vice Chairman closed the hearing.

Member Sparks stated that he would hope that the Exhibit III's for all appellants could be provided to the petitioners sooner than the morning of the hearing, though he understands the time constraints the Assessor's Office is under this year to provide all those exhibits to over 1,600 petitioners. He also noted that the Petitioner had a personal appraisal done a few years ago, which resulted in a value over \$900,000; and the Assessor's taxable value is \$763,174, substantially below cash value.

Member Schmidt concurred in wanting the Exhibit III's sooner. Member McCormick stated that the information in the Exhibit III is all contained in the fifty-page document that the Petitioner received, and the only difference is that the Petitioner needed to glean out their particular information to support their position, which is their burden of proof.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-232-24 be upheld.

04-445E HEARING NO. LT-1235 – PAUL LEVY, TR.
PARCEL NO. 126-241-01

A petition for Review of Assessed Valuation received from Paul Levy, Tr., protesting the taxable valuation on land located at 701 Fairview Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-GR and designated vacant.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Norman Azevedo, Attorney, duly sworn, was present representing the Petitioner, Paul Levy, who was also present. Mr. Azevedo submitted photographs, Exhibit A, and stated Mr. Levy is questioning the view designation on the subject parcel. He further stated his understanding that, when requested, the Appraiser would inspect properties in question to confirm the correct view classification and make recommendations when necessary; and based on that, he would rest on his submissions.

Member McCormick asked about the purchase price of \$1,750,000 in 2002. Mr. Azevedo responded that the sales price included the land, house plans and building permits.

Appraiser Lopez noted the sales brochure on subject parcel advertised a "panoramic lake view," and this is a five-acre estate parcel. The Assessor's original base value for the subject property was \$1,800,000, but it was reduced to \$1,750,000 when the property sold for \$1,750,000. He further reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIII.

Member Schmidt questioned Appraiser Lopez regarding the view classification and asked if he took the V6 base lot value and adjusted upward for size. Appraiser Lopez responded that the base lot value was determined based on the size of the parcel and its cost, not on the view classification.

Mr. Azevedo confirmed that the subject parcel is not a "view" lot and argued that is the opposite of last year. He stated he also has never heard of the "estate lot" criteria. He said there is no building yet by which to judge the view designation.

Member Sparks questioned whether there were plans included since the Petitioner did not say they were included. Mr. Azevedo said the plans are of little value now because they are in litigation. Member Sparks said the IPES score is low but the coverage is over 17,400 square feet for this parcel.

Member McCormick questioned who was in the trust so that she was sure she would not have a conflict. Mr. Azevedo said it was only the family. She also questioned the photographs since only one had a view of the lake and the photograph in the sales brochure, which shows a lot of the Lake. Mr. Azevedo responded that the true view cannot be known until the house is built. He also explained how the State Board considers the view on vacant parcels.

Senior Appraiser Ron Sauer stated that Appraiser Lopez misspoke and said the subject is a view property and was valued as a V-6. He said they estimated that the building envelope would be from Fairview, and it would have a view from that location. He also stated he does not believe the subject will have 17,000 feet of coverage.

Member Obester asked about the base lot value on five-acre parcels that are also steeply sloping. Appraiser Sauer responded there was no base lot value established for five-acre parcels, and the comparables were other estate size parcels in Incline Village. Appraiser Sauer said the comparables are found in Exhibit XXII.

Mr. Azevedo said it appears the Assessor is designating the subject lot as a V-6, and he and Mr. Levy do not agree with that view classification. Vice Chairman Allison reminded Mr. Azevedo of the established process for having the Assessor check the view ratings. Mr. Azevedo stated they would follow that procedure.

The Vice Chairman closed the hearing.

Member Sparks questioned the comparable sales in Exhibit XXII. Member Schmidt expressed concern with the V-6 view classification as it pertains to this parcel. Vice Chairman Allison said the Petitioner has asked for \$1,600,000 as the land value.

Based on the FINDINGS that adverse factors (lack of value on the building permits after purchase, buildable area questions and question of view classification) were not considered by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 126-241-01 be reduced to \$1,600,000. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-446E HEARING NO. LT-1236 – PAUL A. LEVY, TR.
PARCEL NO. 130-163-29

A petition for Review of Assessed Valuation received from Paul A. Levy, Tr., protesting the taxable valuation on land and improvements located at 250 Estates Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 048-LDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Norman Azevedo, Attorney, duly sworn, was present representing the Petitioner, Paul Levy, who was also present. Mr. Azevedo testified that Mr. Levy is a litigation client and that they will stand on the information previously presented. Member Sparks asked how the Petitioner had arrived at the requested land value of \$393,749. Mr. Azevedo said it was from the 2001/02 assessment. Member McCormick noted the purchase price and purchase date were not provided on the petition and requested that information. Mr. Azevedo stated they are protesting the Assessor's methods.

Appraiser Johnson noted the subject's base lot value was \$700,000 but it received a five percent reduction based on backing up to Highway 28. He reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Johnson stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXIII.

Mr. Azevedo had no rebuttal.

The Vice Chairman closed the hearing.

Member Schmidt stated he would recommend a ten percent reduction from the base lot land value for the impact of traffic noise.

Based on the FINDINGS that adverse factors (traffic impact) were not considered or given enough weight by the Assessor, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried with Member McCormick voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 130-163-29 be reduced to \$630,000 and that the taxable value of the improvements be upheld for a total taxable value of \$1,610,406. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-447E HEARING NO. LT-1242 – GAYLE HOLDERER, TR.
PARCEL NO. 131-012-22

A petition for Review of Assessed Valuation received from Gayle Holderer, Tr., protesting the taxable valuation on land and improvements located at 908 Driver Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Member Sparks disclosed that he had met with Ms. Holderer regarding a legal matter several years ago.

Norman Azevedo, Attorney, duly sworn, was present representing the Petitioner, Gayle Holderer, who was present but did not testify. Mr. Azevedo testified that the parcel has been classified as a golf course view lot and he is disputing the view designation. He is also questioning the use of teardowns and time adjustments for this parcel. The Petitioner is also disputing the square footage that the Assessor has for the house, the number of baths and bedrooms, and the size of the wood deck.

Vice Chairman Allison asked for purchase date and price. Mr. Azevedo asked Ms. Holderer and was told she purchased the subject property in 1979 for \$82,500.

Appraiser Lopez stated the base lot value of the subject property is \$700,000, and it is a level lot located on the Championship golf course near one of the greens. He stated the Appraisers did inspect the subject parcel previously and corrected some information, and he would be happy to reinspect so that any other discrepancies could be corrected. He then reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and IX.

Member Sparks asked about traffic near the subject parcel. Appraiser Lopez said it was less than on Country Club Drive.

In rebuttal, Mr. Azevedo reiterated his concern about the vacant land sales and teardowns used by the Assessor. He stated the Petitioners are part of the on-going litigation.

Member McCormick asked about the concern of the view designation and if the parcel did have a view of the golf course. Mr. Azevedo said they are questioning the view classifications in general, and this parcel does have a view of the golf course.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member McCormick, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-012-22 be upheld.

04-448E HEARING NO. LT-1244 – BYE BYE BENTON, L.L.C.
PARCEL NO. 132-231-04

A petition for Review of Assessed Valuation received from Bye Bye Benton, L.L.C., protesting the taxable valuation on land and improvements located at 917

Tahoe Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 045-GC and designated offices.

Member Sparks recused himself from participating in this hearing because he had been involved in appraising the subject property.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 22, and Exhibit XXI, Incline Village Commercial Land, and oriented the Board as to the location of subject property.

Norman Azevedo, Attorney, duly sworn, was present representing the Petitioner, Bye Bye Benton, L.L.C. Mr. Azevedo testified that the income data for this property shows a value significantly less than the Assessor's value. He stated the property suffered a loss of income when its two largest tenants left. Mr. Azevedo stated they submitted the income information for 2003 and information on the amount of the improvements that have been made in an attempt to secure new tenants. He asked if the Board had that information. Member McCormick noted pages 20-22 of the Assessor's Exhibit III appears to be part of that. Mr. Azevedo continued stating the property has a 51 percent vacancy rate, and the owners spent \$700,000 on improvements and upgrades to try to get new tenants. The owners have also sent out flyers, given realtors an upfront commission to enhance the rental possibilities, and conducted a Chamber mixer at the building, but there have been no new rentals in the building. The property owners paid \$3,000,000 for the building when it was fully leased. Mr. Azevedo also questioned the Assessor's capitalization rate and comparable sales figures. He said based on the current income and using a ten percent cap rate, the value of the subject is \$1.2-million.

Member McCormick asked when the two major tenants left. Mr. Azevedo said one left in December 2002 and the other in February 2003.

Appraiser Lopez said the commercial property in Incline Village was also subject to reappraisal in 2003. At that time there were 22 vacant commercial parcel sales, and in evaluating them, they found there were two types of transactions. Some were selling with 30 percent coverage plus commercial floor area (CFA), and some were selling with 30 percent coverage and no CFA, which resulted in quite a range when evaluating these parcels. Referring to page 1 of Exhibit XXI, he stated the Assessor's Office broke down the sales based on parcel size, location (on or off Tahoe Boulevard) and CFA ratio to parcel size and explained how the values were determined. Appraiser Lopez said he also contacted realtors in the area and found that the current average vacancy rate in Incline Village is 15-25 percent and that the subject's vacancy rate is 51 percent.

Appraiser Lopez noted the subject property was purchased for \$3,100,000 in 2001 and has been upgraded since that time. He noted there were three possible approaches to evaluating the property: income, market comparison and cost and that using either of them, the Assessor's value is below market value. He reviewed each analysis and said he used a 20 percent vacancy rate for the income approach to value.

Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXI.

In rebuttal, Mr. Azevedo stated the \$700,000 had been used to upgrade the exterior of the building; an additional tenant has sent a letter saying they intend to vacate the property; and \$40,000 in drainage improvements will need to be done shortly in accordance with Tahoe Regional Planning Agency Best Management Practices. He further stated subject's income figures are lower than those stated by the Assessor and if the actual income and vacancy factor were used in the income approach, the value would be lower. Mr. Azevedo recalculated the value by the income approach using the Assessor's nine percent cap rate and stated the value would be \$1,516,466.

The Vice Chairman closed the hearing.

Member Schmidt said he believes the 50 percent vacancy rate and a ten percent capitalization rate are reasonable. He said the property could remain vacant for a long time; and if it does not remain vacant, the Assessor has the ability to reappraise the property. He moved to support the value derived from the cost approach with a capitalization rate of 10 percent and a vacancy rate of 50 percent. Vice Chairman Allison seconded the motion. Upon call for the vote, the motion failed, with Members Obester and McCormick voting "no." This motion failed.

Based on using adjusted numbers on the income approach with a vacancy rate of 25 percent, an operating expense of 38 percent and a capitalization rate of 9.26 percent, on motion by Member Obester, seconded by Member McCormick, which motion duly carried with Member Sparks absent having recused himself, it was ordered that the total taxable value on Assessor's Parcel No. 132-231-04 be reduced to \$2,210,508 with the reduction being applied to the land.

Appraiser Sauer confirmed that the Board was asking to reduce the total taxable value by \$316,334. He stated the Assessor would prefer that the reduction be put in the form of obsolescence so that it can be reviewed every year.

Blaine Cartlidge suggested that the obsolescence issue and the amended figures be voted on in a separate motion.

Based on the FINDINGS that obsolescence should be applied to the subject parcel improvements, on motion by Member Obester, seconded by Member McCormick, which motion duly carried with Member Sparks absent having recused himself, it was ordered that the taxable value of the land on Parcel No. 132-231-04 be upheld and the taxable value of the improvements be reduced to \$996,308, for a total taxable value of \$2,210,508. The Board also found that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-449E HEARING NO. LT-131 – GARRETT E. & JEAN C. TAYLOR
PARCEL NO. 125-134-14

A petition for Review of Assessed Valuation received from Garrett E. and Jean C. Taylor, protesting the taxable valuation on land and improvements located at 701 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Norman Azevedo, Attorney, duly sworn was present, representing the Petitioner, who was not present. Mr. Azevedo submitted a letter, Exhibit A, and testified that he would rest on the Petitioner's letter.

Responding to the letter from the Petitioner, Member Sparks asked if four different Appraisers had inspected the view from the subject property. Appraiser Diezel advised there were two inspections in the past two years, and they would go out again to assess the view if the Petitioner so requested.

Appraiser Diezel stated the Assessor would stand on their written presentation and Exhibits I, II, III, IV, IVa and XII.

Mr. Azevedo had no rebuttal.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits and that the Assessor's Office will review the Petitioner's view, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-134-14 be upheld.

04-450E HEARING NO. LT-303 – LAWRENCE A. & LILLIAN A.
WATKINS, TR. - PARCEL NO. 126-262-09

A petition for Review of Assessed Valuation received from Lawrence A. and Lillian A. Watkins, Tr., protesting the taxable valuation on land and improvements located at 751 Champagne Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-LDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Norman Azevedo, Attorney, duly sworn, was present, representing the Petitioners, Lawrence A. and Lillian A. Watkins, who were not present. Mr. Azevedo submitted a letter, Exhibit A. Mr. Azevedo stated this is a litigation client and he will rest on the letter.

Member McCormick questioned the Petitioner's form, which did not state what they paid for the property or what they thought the valued was.

Appraiser Lopez noted that this Petitioner had appealed the assessment last year and the Assessor's Office offered to come inspect the view of subject, but did not hear back from them. Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III IV, IVa and XIII.

Member Schmidt asked what the base lot value in this area is and Mr. Lopez said it was \$800,000. The additional \$80,000 was an upward adjustment due to the larger size of the lot.

Mr. Azevedo stated he had suggested to his client to call the Assessor's Office for a view reassessment and will do so again.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 126-262-09 be upheld.

04-451E HEARING NO. LT-448 – NANCY B. CUMMING, TR.
PARCEL NO. 123-021-07

A petition for Review of Assessed Valuation received from Nancy B. Cumming, Tr., protesting the taxable valuation on land and improvements located at 75 Somers Loop, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033-HDR and designated single-family residence.

Ron Sauer, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. He advised that the Assessor is recommending that the land value be reduced to bring the subject into equalization with the site values on Gonowabie Road.

Norman Azevedo, Attorney, duly sworn, was present, representing the Petitioner, Nancy B. Cumming, who was not present. Mr. Azevedo submitted photographs, Exhibit A. He stated he was not aware the Assessor was recommending a reduction. The photographs showed that the pier was unusable and he was not sure they

have a pier allocation. He also questioned the allocation methods of assessment. He said he would rest on his submissions.

Mr. Azevedo asked if the proceedings were being taped, as he would like to let his court reporter go home. He was advised the proceedings are being recorded.

A discussion ensued concerning the pier and pier rights and Mr. Azevedo stated he needed to inspect the property.

Appraiser Sauer stated the Assessor would stand on their written presentation, Exhibits I, II, III and XI and their recommendation. He also requested the Petitioner call to arrange for an inspection regarding the pier.

Member Schmidt asked about the size of the parcel.

Appraiser Gary Warren stated that Crystal Bay is one of the oldest developed areas in Lake Tahoe and the lot lines vary from the low water line to the meander line. The Petitioner's house is below the meander line, so the lot footage was adjusted accordingly.

Mr. Azevedo asked to see the location of the house on the plot map. Mr. Warren demonstrated on the aerial map. He suggested the Petitioner call the Assessor's Office to review the pier.

Mr. Azevedo stated this is a unique parcel with extreme steepness and he does not believe a new home could be built.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the Assessor recommended a reduction on the land based on equalization with site values on Gonowabie Rd., on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 123-021-07 be reduced to \$2,000,000 and that the taxable value of the improvements be upheld for a total taxable value of \$2,090,168. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-452E HEARING NO. LT-1243 – STEPHEN P. GOTTLIEB, TR.
PARCEL NO. 131-211-20

A petition for Review of Assessed Valuation received from Stephen P. Gottlieb, Tr., protesting the taxable valuation on land and improvements located at 547 Fairview, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. He further stated that he and Senior Appraiser Sauer inspected the subject, and the Assessor is recommending the view classification be reduced from a V-6 to V-5. Appraiser Lopez stated that would reduce the land value from \$800,000 to \$700,000. He has discussed the recommendation with the Petitioner, who indicated he was in agreement.

Norman Azevedo, Attorney, duly sworn, was present, representing the Petitioner, Stephen P. Gottlieb, who was not present. Mr. Azevedo said they would accept the Assessor's recommendation.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the Assessor recommended a reduction in the view classification from V-6 to V-5, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 131-211-20 be reduced to \$700,000 and that the taxable value of the improvements be upheld for a total taxable value of \$1,635,400. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-453E HEARING NO. LT-1221 – KAMBIZ & MAHNAZ HEKMAT
PARCEL NO. 122-181-64
AND
HEARING NO. LT-1222 – JAYNE H. LAUGHLIN, ET AL.
PARCEL NO. 122-181-65

A petition for Review of Assessed Valuation received from Kambiz and Mahnaz Hekmat, protesting the taxable valuation on land and improvements located at 887 Lakeshore Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated "minor improvements."

A petition for Review of Assessed Valuation received from Jane H. Laughlin, et al., protesting the taxable valuation on land and improvements located at 887 Lakeshore Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. He stated these are adjoining parcels.

Norman Azevedo, Attorney, duly sworn, was present, representing the Petitioners, Kambiz and Mahnaz Hekmat, and Jayne H. Laughlin, et al., who were not present. Mr. Azevedo stated he previously submitted documents, Exhibit A, his Exhibits

18, 18a, rocks, and Exhibits 10 and 13, 2003 State Board hearings, on these two parcels. He stated they did not appeal these parcels to the State Board last year; they were appealed by the Assessor; and they were limited to appealing the 10 percent reduction by the County Board. Mr. Azevedo stated he is questioning the rock classifications on the subject properties. Parcel 122-181-65 has a rocky classification, 122-181-64 has a cobble sandy classification. His contention was that the rocks are identical. In May 2003 both parcels were bought together for \$11,500,000, which included \$250,000 in personal property and the residence. He presented numbers for the improvements based on Marshall & Swift costing and depreciation. Mr. Azevedo stated these parcels are identical; each has 100 feet of lake frontage; and each has the same type of rocks. He said the land value should be the same for both parcels.

Vice Chairman Allison noted that on Exhibit III, Parcel 122-181-64 is rated cobble and Parcel 122-181-65 is rated cobble-rocky.

Member Sparks asked if the relief the Petitioner was seeking was to have the land value on both parcels the same. Mr. Azevedo stated they believed the land value for Parcel 122-181-64 should be reduced to the same value as Parcel 122-181-65.

Appraiser Warren explained the ownership of the subject parcels. He reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed full cash value. Appraiser Warren stated that there are different types of rocks on adjacent lots and he was trying to be as thorough as possible. He explained in detail the analysis that was done to determine how the type of rocks on the beach affected land values. He also said that the time of year and the elevation of the Lake impacts the types of rocks on the beach and he used aerial photos to substantiate the rock classifications. Appraiser Warren stated it is his opinion that the two parcels are not identical. He said the market dictates the values, and people do pay more for sandy beaches. Appraiser Warren stated the Assessor would stand on their written presentation and Exhibits I, II, III and XX.

A discussion ensued concerning why the Assessor decided to use rocks as a determining factor, as well as how the high and low lake levels affect the beaches.

In rebuttal, Mr. Azevedo reiterated previous comments.

The Vice Chairman closed the hearing.

Member McCormick expressed concern about whether the sale was an arms length transaction.

Based on the FINDINGS that the two adjacent parcels should be equal, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried with Member McCormick voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 122-181-64 be reduced to \$4,995,000 and the taxable value of the improvements be upheld for a total taxable value of \$5,010,729; and that the taxable

value of the land and improvements on Parcel 122-181-65 be upheld. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-454E HEARING NOS. LT-1223, -59, -1225, -1057, -1058, -1227, -1228, -1219, -1229, -99, -1231, -168, -1232, -1233, -1234, -1220, -1262, -1237, -1238, -1239, -1240, -1241

Petitions for Review of Assessed Valuation received from the following property owners, protesting the taxable valuation on land and improvements located in Incline Village and Crystal Bay, Washoe County, Nevada, was set for consideration at this time.

Norman Azevedo said he would agree to consolidate the remaining A.M. hearings based on the Assessor's staff inspecting the subject properties concerning the view, type of rocks, etc., and then resolving them at the State level.

Member Sparks noted the remaining petitions were all similar in that they had “unknown” as the land value, building value, total value and the purchase price; and they all gave the reason for appealing as the valuation methods are not supported by statute or regulation. He moved to consolidate the hearings remaining from the 9:00 a.m. Block. The motion was seconded by Member Schmidt, and upon all for the vote, duly carried.

The Clerk of the Board then called each individual hearing by hearing number, property owner's name and parcel number.

Gary Warren, Appraiser, duly sworn, and stated the Assessor would stand on their written presentation submitted and contained in Exhibits I, II, III, IV, IVa, V, IX, X, XI, XII, XIII, XIV, XVII, XX, XXI, XXII, XXIII, where applicable.

Norm Azevedo, Attorney, duly sworn, stated that he would stand on the record submitted in Petitioners’ Exhibits A (1-19).

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor’s Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Assessor’s Parcel Nos. be upheld:

Hearing No.	Petitioner(s)	Parcel No.
LT-1223	Nicole Vento, LLC	122-192-06
LT-59	Alan Glen, Tr., et al.	122-251-11
LT-1225	Lana J. Vento	122-530-36
LT-1057	Carol F. Buck, Tr., et al.	123-021-02

LT-1058	Calvin P. Erdman, Jr., et al.	123-021-03
LT-1227	Eugene T. Gastanaga, Tr.	123-161-06
LT-1228	Renee Vento, LLC	123-162-11
LT-1219	Jane A. Barnhart	123-260-06
LT-1229	Agnieszka Winkler, Tr.	123-260-07
LT-99	Donald F. Frei, Tr.	124-062-17
LT-1231	Zoe B. Myerson	125-132-01
LT-168	Donald T. and Patricia A. Wilson, Tr.	125-413-04
LT-1232	Roger M. Leach	125-431-17
LT-1233	Girard L. and Lois L. Stewart, Tr.	125-463-20
LT-1234	VIFX, LLC	125-531-24
LT-1220	Robert B. and Paula S. Bender	126-262-06
LT-1262	Margaret A. and Thomas Rebane, Tr.	126-262-08
LT-1237	FFO, LLC	130-230-06
LT-1238	Kern Schumacher	130-230-16
LT-1239	Morris Kulmer, et al.	130-230-17
LT-1240	Kern W. Schumacher	130-230-18
LT-1241	Ross Pendergraft, et al., Tr.	130-312-12

1:30 P.M. BLOCK

04-455E HEARING NO. LT-434 – GEORGE & BARBARA FREDERIC
PARCEL NO. 129-022-07

A petition for Review of Assessed Valuation received from George and Barbara Frederic, protesting the taxable valuation on land and improvements located at 701 Hogan Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 041-LDU and designated “three or four.”

Rigo Lopez, Appraiser, duly sworn, submitted Assessor’s Fact Sheet(s) and Maps, Exhibit III, pages 1 through 10, and oriented the Board as to the location of subject property. He said the subject is a 4-plex, multi-family parcel.

George Frederic, Petitioner, was sworn, submitted documents, Exhibit A, and testified that the Appraisers have been very cooperative and responsive to his calls. He said he was contesting the land and building assessment based on the comparable sales used by the Assessor because those were condominium sales, not multi-family sales. He said five of the land sales used by the Assessor have turned out to be erroneous because they are individual condominium sales and subdivision maps have been, or are being, recorded. The Petitioner said the subject is an investment property and should be appraised using the net income approach to value. He stated he has provided the Schedule E to the Assessor to back-up his income claims. He reviewed his net income and cap rates explaining his value according to the income approach.

Appraiser Lopez stated that, after doing an internal inspection of the subject property, the quality class should be reduced from three to two, which would give it an age of 1984 and a building value of \$192,079. He updated some of his improved comparable sales figures and said they will re-evaluate the vacant sales since he agrees they are to become condominiums versus multi-family properties. He looked at the income information from Mr. Frederic and stated it seems accurate, but said he did not feel the income approach was appropriate for subject property. The Assessor's Office uses the gross income multiplier method; and he believed the Assessor's total taxable value does not exceed fair market value. Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIX.

Member Schmidt asked if the Petitioner pays a management fee and if the utilities are individually metered. Petitioner Frederic stated they sometimes pay a management fee, when they cannot be there; and they pay utilities because the units are not individually metered. Appraiser Lopez said on most of the other rentals, the utilities are paid for by the individual renters. Member Obester asked why they don't use the capitalization method for assessments. Appraiser Lopez said that the method they use is simpler and easier to ascertain value.

Mr. Frederic said that his three-year average gross income is \$41,000, not \$48,000 as shown on the Exhibit III. He said he recently raised the rents, but the vacancy factor also needs to be taken from that figure. Petitioner Frederic questioned the rent amounts on the comparables, stating he thinks they are too low. He also said that one of the comparable land sales has a view class associated with it and his does not. He stated he believed his overall value should be \$402,000.

The Vice Chairman closed the hearing.

Member Obester made a motion to reduce the total taxable value to \$321,200 based on the lowest gross income multiplier approach of 7.3 percent. The motion failed due to lack of a second.

Based on the FINDINGS that the Assessor recommended a reduction of the building quality class and based on the income information presented by the Petitioner, on motion by Member McCormick, seconded by Member Sparks, which motion duly carried, with Member Obester voting "no," it was ordered that the taxable value of land on Assessor's Parcel No. 129-022-07 be reduced to \$210,000; and that the taxable value of the improvements be reduced to \$192,079 for a total taxable value of \$402,079. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-456E HEARING NO. LT-543 – GEORGE & BARBARA FREDERIC, TR.
- PARCEL NO. 131-211-07

A petition for Review of Assessed Valuation received from George and Barbara A. Frederic, Tr., protesting the taxable valuation on land and improvements located at 575 Fairview Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

George Frederic, Petitioner, duly sworn, submitted documents, Exhibit A, and testified that he believes the land is overvalued because it has not been properly adjusted for negative factors, such as the slope of the lot. He further stated he does not believe the view classification is an approved appraisal method. Petitioner Frederic pointed out that the land to building ratio on his parcel is 10 to 1, which is not a reasonable ratio. He stated sales should be the only method of assessment, and the land value should be \$525,000, not \$800,000 based on the Tahoe Regional Planning Agency restrictions and other concerns. He stated they purchased the property in 1991 for \$250,000 and he does not believe a prudent buyer would pay \$883,000 for the property for several reasons, which he listed.

Appraiser Lopez stated that subject parcel has been inspected by himself, Senior Appraiser Ron Sauer and Appraiser Ivy Diezel; and the subject is consistent with a View 6. He stated they have also inspected the other parcels Mr. Frederic wanted compared to his parcel and made view adjustments where appropriate. He said the base lot value of the subject is \$800,000 and he stands firm on the view classification. Appraiser Lopez reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIII.

Member Obester noted the large size of the subject parcel and asked if it should have an upward adjustment for size. Member Schmidt asked about improvement opportunities for the building. Member Sparks noted the comparables are much lower than the subject property.

Mr. Frederic noted the large rate of assessment increases. Vice Chairman Allison asked Legal Counsel Leslie Admirand about the rate of increases and was told there is no cap on increases in values. The Petitioner also commented that their visibility (view) is lowered seventy days of the year due to burns in the valley and white-out conditions during storms.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried, with Members Obester and Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-211-07 be upheld.

04-457E HEARING NO. LT-1168 – THOMAS G. AUSTIN, ET AL, TR.
PARCEL NO. 126-251-08

A petition for Review of Assessed Valuation received from Thomas G. Austin, Tr., protesting the taxable valuation on land and improvements located at 711 Cristina Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 043-MDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Norman Azevedo, Attorney, duly sworn, was present representing the Petitioner, Thomas G. Austin, testified that the property owners are contesting the view classification. He stated he would meet with Mr. Lopez; and, if they cannot agree on a lower classification, they will take it to the State Board.

Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIII.

Mr. Azevedo had no rebuttal.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 126-251-08 be upheld.

04-458E HEARING NO. LT-1216 – NICHOLAS J. THOMAS
PARCEL NO. 130-081-03

A petition for Review of Assessed Valuation received from Nicholas J. Thomas, protesting the taxable valuation on land and improvements located at 1019 Tomahawk Trail, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 050-HDS and designated 030-Duplex.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Nicholas J. Thomas, Petitioner, was sworn, submitted documents, Exhibit A, and testified that the comparable sales are not comparable and explained that some of the rental properties are being "condo-ized," meaning subdivision maps are being filed to also divide the land between the units. He stated his property backs up to Highway 28, and he received a five percent reduction for that. He also learned that properties on Highway 431 receive a ten percent discount; however the setbacks are greater on 431 than on 28, so he does not understand how that was determined. Petitioner Thomas further stated that Highway 28 has twice as many cars and all of the truck traffic, and he does not have a sound wall to buffer the noise, so he believes the discount for traffic impacts should be greater. He also questioned the rate of tax increases over the years. Petitioner Thomas said his yard classification and total square footage on the Assessor's appraisal records are incorrect. He also discussed the sale of the duplex located next door to his property, which sold for \$350,000 after being condo-ized.

Appraiser Lopez stated that he will do an on-sight inspection to correct any factual errors in the appraisal records of the square footage and the loft on the property. Member Schmidt asked what the base lot value was. Mr. Lopez responded the base lot value was \$65,000 per unit, making it \$130,000, which was reduced by five percent due to its proximity to Highway 28. He reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He explained the gross income multiplier approach to value of the duplex. Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIX.

In rebuttal, Mr. Thomas stated the condo next door was sold at first for \$200,000 then for \$355,000. He said he would look forward to meeting with Mr. Lopez to correct the information. He reiterated that he believes a ten percent discount for traffic noise would be more appropriate.

The Vice Chairman closed the hearing.

Based on the FINDINGS that adverse factors (traffic noise) were not given enough weight by the Assessor, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried, with Member McCormick voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 130-081-03 be reduced to \$117,500 and that the taxable value of the improvements be upheld for a total taxable value of \$223,090. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-459E HEARINGS NOS. LT-376 & LT-377 – CIRCLE I, LLC
PARCELS NOS. 130-152-12 & -13

Petition for Review of Assessed Valuation received from Circle I, LLC, protesting the taxable valuation on land and improvements located at 1058A and 1060

Tahoe Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 054-TC and designated vacant (1058A, 130-152-12) and General Industrial (1060, -13).

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 16b, and 1 through 30b, and oriented the Board as to the location of subject properties.

Maryanne Ingemanson, Petitioner, was sworn, submitted documents, Exhibit A, and testified that the Tahoe Regional Planning Agency (TRPA) has changed the BMP's (Best Management Practices) required on these parcels, after she had obtained her permit for the mandated BMP's at a cost of approximately \$50,000. She will now need to start all over and spend approximately \$1-million to make the buildings TRPA compliant. She reviewed the new TRPA requirements as contained in her exhibit. TRPA considers the two lots as one and the required mandates would have to be completed before she could sell the property, so she believes the taxable value of the two are not realistic in terms of the work that needs to be done.

Member Sparks disclosed that he had rented a storage unit from the Petitioner, several years ago. Petitioner Ingemanson did not feel this was a conflict.

Petitioner Ingemanson then discussed the adjacent property that was used as a comparable sale for her property last year. She advised that the purchaser has learned that he will not be able to do what he planned to do because of TRPA and will probably just walk away. She said the Assessor had requested a copy of the Steven Johnson appraisal that was done, which was submitted last year; and somehow between last year and now, she does not have a copy. She said she had made some notes from it, which were outlined on page 2 of her exhibit and she reviewed. The Petitioner stated the back of the property is a steep cliff and TRPA says she must now build a retaining wall. She further stated the comparable sales used to determine the value of her property would also have to complete these TRPA requirements, so that cost should be deducted from the sales price. Petitioner Ingemanson stated the State Board last year reduced her value by about \$525,000 and it appears it has gone back up by that same amount now.

Member Sparks discussed residual land values based on the income approach to value.

Petitioner Ingemanson stated she paid \$1.5 million for the property in 1994. Member McCormick asked about an appraisal Ms. Ingemanson had done last year. Ms. Ingemanson explained the appraisal was done for the bank and included the neighboring parcel based on her proposal to build more storage units. She stated that the appraisal was lost somewhere between last year's County hearing and the State hearing.

Appraiser Lopez began with the evaluation of the vacant parcel, 130-152-13. He reviewed his comparable sales substantiating that the Assessor's taxable value does not exceed fair market value. He noted that some of these sales had no commercial

floor area (CFA). He said he had requested income information and an appraisal on the property, but have never received it from Ms. Ingemanson.

Appraiser Lopez next spoke regarding the improved parcel, 130-152-12. He again said he has not received income or appraisal information from the Petitioner, though he requested the information frequently to substantiate her claims. He also stated that he does not believe CFA is selling for \$5.00 a foot. Appraiser Lopez then reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He also reviewed an income approach to value that the Assessor calculated based on market numbers, since they did not have numbers from the Petitioner, and a market comparison approach, both of which resulted in a value higher than the Assessor's current taxable value. Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXI.

Member Sparks asked several questions regarding the comparable sales.

Petitioner Ingemanson stated the comparable sales do not include any heavy industrial properties, but were office buildings. She said she appealed last year and received a reduction of over \$500,000 from the State Board.

Member McCormick asked if it was true that she was not willing to provide her income/expense information as requested by the Assessor. Ms. Ingemanson said that was true. Vice Chairman Allison made the point that it is the Petitioner's obligation to provide clear and substantial evidence that the Assessor's value is incorrect.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried with Members Schmidt and Obester abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcels Nos. 130-152-12 and 130-152-13 be upheld.

* * * * *

Member Sparks made a motion to table the balance of the 1:30 Block Hearings until tomorrow morning at 9:00 a.m. Member Obester seconded the motion, and, upon call for the vote, the motion carried unanimously.

10:20 p.m. The Board recessed until February 18, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Susan Stewart, Clerk's Office
and Sharon Gotchy, Deputy*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

WEDNESDAY

9:00 A.M.

FEBRUARY 18, 2004

PRESENT:

F. Ronald Fox, Chairman
Gary Schmidt, Member
Steven Sparks, Member
Jon Obester, Member
Marcia McCormick, Alternate Member

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
David Watts-Vial, Deputy District Attorney
Steve Churchfield, Chief Appraiser

ABSENT:

Martha Allison, Vice Chairman

The Board met pursuant to a recess taken on February 17, 2004, in the South Conference Room (Room B) of the Washoe County District Health Department, 1001 East Ninth Street, Reno, Nevada.

Chairman Fox indicated that business was left over from February 17, 2004, which should be finished first, and afterwards the business of February 18th would be heard. He stated the Board would try to accommodate the individuals present for the 9:00 A.M. hearings as quickly as possible; and, rather than following the agenda, they would hear from the individuals who are present first.

The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

04-460E HEARING NO. LT-1271 – JERRY & JUDITH NEWTON
PARCEL NO. 123-146-03

A petition for Review of Assessed Valuation received from Jerry and Judith Newton, protesting the taxable valuation on land and improvements located at 425 Gonowabie Road, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Wilson stated the Assessor would stand on their written presentation and Exhibits I, II, III and X and recommended that the Board uphold the value.

The Chairman closed the hearing.

Chairman Fox stated he does not find any information in the letter that would help the Board arrive at a different value, and that no relief is asked for in the petition. He noted the comment by the Petitioner, "We don't believe government's role should be tax working people out of their homes," and stated he concurred.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-146-03 be upheld.

04-461E HEARING NO. LT-1041 - Douglas J. & Jane S. Petersen
PARCEL NO. 124-043-04

A petition for Review of Assessed Valuation received from Douglas J. and Jane S. Petersen, protesting the taxable valuation on land and improvements located at 371 Willow Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated 032/Three or Four.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIX.

The Chairman closed the hearing.

Member Sparks noted that the Petitioner's letter states their taxes have increased, their rents have remained modest, and, therefore, they are requesting a reduction. He added that there was no specific relief mentioned, and there was no clear and concise evidence upon which to grant relief to the Petitioner.

Member Schmidt commented there is a general allegation of not having been provided documentation, but noted there is no evidence to support that and the Petitioner has other remedies in that regard.

Member McCormick commented that the Petitioner also mentions they want a refund of the excessive taxes they have paid, and she noted that is not within the purview of the Board. Chairman Fox reiterated the Board does not refund taxes.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 124-043-04 be upheld.

04-462E HEARING NO. LT-823 - JOHN A. & RHONDA L. BOHN, ET AL. - PARCEL NO. 130-082-19

A petition for Review of Assessed Valuation received from John A. and Rhonda L. Bohn, et al., protesting the taxable valuation on land and improvements located at 1062 War Bonnet Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 050-HDS and designated duplex.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIX.

Member Sparks noted the Petitioners are protesting the use of a lake view as a method for assessing property, and asked Appraiser Lopez if lake view was considered in the land valuation for the subject property. Appraiser Lopez stated there was a ten percent upward adjustment to the subject's base lot value for the lake view. Member Sparks asked if the Appraiser would inspect the subject property if the Petitioner so requested. Appraiser Lopez stated he would. He further stated he did contact the owners on February 10, 2004, when they received the letter, and explained the process to them. Appraiser Lopez stated they purchased the property in November 2002 for \$580,000, and the Assessor's current value is \$302,316. He further stated he faxed information to the Petitioner and asked them to call him back if they had any questions, but he has not heard back from the Appellant since that time.

Member Obester asked Appraiser Lopez whether using a GIM (gross income multiplier) was different than using a PGIM (potential gross income multiplier). Appraiser Lopez indicated that GIM was the approach they used and confirmed they did not use potential income.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-082-19 be upheld.

**04-463E HEARING NO. LT-495 - PHILIP T. & APRILE L. LUCKING, TR. -
PARCEL NO. 131-012-05**

A petition for Review of Assessed Valuation received from Philip T. and Aprile L. Lucking, Tr., protesting the taxable valuation on land and improvements located at 635 Anderson Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-HDS and designated single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Lopez advised that he and Senior Appraiser Ron Sauer inspected the subject property on January 31, 2004 at the request of the Appellant regarding the view classification. He stated the Appellant was not home at the time, but he and Mr. Sauer confirmed that the view no longer exists. The Assessor is recommending that the ten percent upward adjustment for the view be removed, which would reduce the subject's land value to \$300,000. He further stated that he contacted the owner, who still has other questions regarding the size adjustment. Appraiser Lopez stated the Assessor would stand on their written presentation and on Exhibits I, II, III and XVI.

Member Sparks asked if there was a sale on the subject property. Appraiser Lopez indicated that the subject parcel sold on January 4, 2002 for \$861,875; and the Assessor's reduced total taxable value would now be \$481,487.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors were not considered by the Assessor concerning the view and on recommendation of the Assessor, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 131-012-05 be reduced to \$300,000 and that the taxable value of the improvements be upheld for a total taxable value of \$481,487. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

A petition for Review of Assessed Valuation received from James W. and Donna J. Stuart, Tr., protesting the taxable valuation on land and improvements located at 908 Wendy Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated two single-family residences.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 10, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Member McCormick asked if these are two single-family residences owned by the same person, which Appraiser Lopez confirmed. She then asked if the subject was treated as a duplex or similar to a duplex, which Appraiser Lopez also confirmed. Member McCormick stated that gave them a break. Appraiser Lopez stated that, being conservative, the Assessor used the \$65,000-per-unit valuation on the land, resulting in a total land value of \$130,000.

Member Schmidt noted that the Petitioner raised an issue of the rear deck view being obstructed by lines, and asked Appraiser Lopez if there was any allocation for a view on the subject property. Appraiser Lopez stated there was not.

Chairman Fox asked how the improvements were costed. Appraiser Lopez replied that the improvements were valued as statutorily set using Marshall & Swift replacement cost new, less depreciation, statutorily at 1.5 percent per year. Chairman Fox asked if they were classified as single-family residences for costing, which Appraiser Lopez confirmed.

Member Schmidt noted this is a duplex area and the Petitioner raised the issue of it being in a working-class neighborhood. He asked whether that was considered in the Assessor's base lot value. Appraiser Lopez replied that it was.

Member McCormick asked if there was any information on the last transfer of the subject property because from the information on the petition, the Petitioner does not remember when they bought it or what they paid for it. Appraiser Lopez referred to page 6 of 10 and stated the last transfer was in November of 1977 for \$7,200. Chairman Fox clarified that there was no current sale of the subject property, which Appraiser Lopez confirmed.

Member Sparks noted there are two single-family units on Wendy Lane, at 935, parcel number 131-133-09, similar to the subject, that sold in September 2002 for

\$375,000 and the Assessor's value on the subject is \$276,052. Appraiser Lopez stated that was correct.

Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and XIX.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-122-01 be upheld.

04-465E HEARING NO. LT-1012A - MARVIN E. & LYNNE L. TURNER
PARCEL NO. 132-063-26

A petition for Review of Assessed Valuation received from Marvin E. and Lynne L. Turner, protesting the taxable valuation on land and improvements located at 929 Northwood Boulevard, #81, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated condominium.

Cori Del Giudice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Del Giudice stated the Assessor would stand on their written presentation and Exhibits I, II, III and V.

Member Obester noted that all three of the comparable sales are in the same condominium complex, which Appraiser Del Giudice confirmed.

Member Sparks noted that the subject property was sold to the Turners, who are the Petitioners, on August 20, 2003 for \$470,000, and the Assessor's total taxable value is \$237,402, which Appraiser Del Giudice confirmed.

Member Obester noted the assessment is just over 50 percent of what they paid for it.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded

by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 132-063-26 be upheld.

04-466E HEARING NO. LT-294 - CARLSON AND ASSOCIATES, LTD.
PARCEL NO. 127-090-04

A petition for Review of Assessed Valuation received from Carlson and Associates, Ltd., protesting the taxable valuation on land and improvements located at 795 Mays Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 045-MDU and designated offices.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 17, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted documents, Exhibit A, which was reviewed by the Board.

Appraiser Lopez explained they discovered there had been a clerical error on the subject's land value and the correct land value is \$444,425. He said a Roll Change Request had been processed to correct the 2003/04 roll, and the Assessor is recommending the Board reduce the land value for 2004/05 to \$444,425 to correct the error.

Appraiser Lopez further explained the subject is a commercial parcel, and they requested the income information from the Appellant, which they did receive. The Appellant also indicated that, at this time, he is experiencing a higher vacancy rate. The Appraiser stated they went through the calculations and numbers that were submitted to them; and, based on the income approach, using a 25 percent vacancy and loss rate, 30 percent operating expenses, and a 9 percent capitalization rate, the total value of the subject should be \$976,500. He stated he contacted the Petitioner with that information, and the Petitioner was in agreement with the recommended value. Appraiser Lopez reiterated that the recommendation is to leave the land at \$444,425 and reduce the improvement value by \$69,466 by applying that as obsolescence, so that they may review the property on a yearly basis. He concluded by stating that he would stand on their Exhibits I, II, III and XXI.

Chairman Fox confirmed that the Appraiser arrived at a total value using the income approach based on information supplied by the property owner, and arrived at a land value, which he subtracted from the total to arrive at the improvement value.

Member McCormick stated she did not have a copy of the letter and was provided one.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and that obsolescence should be applied to the subject parcel improvements, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 127-090-04 be reduced to \$444,425 and that the taxable value of the improvements be reduced to \$532,075 for a total taxable value of \$976,500. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-467E HEARING NO. LT-1258 - DIANE M. MORESI
PARCEL NO. 132-222-08

A petition for Review of Assessed Valuation received from Diane M. Moresi, protesting the taxable valuation on land and improvements located at 866 Southwood Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 046-MDU and designated Five to Nine.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 13, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Lopez advised that Ms. Moresi was present on February 17, 2004, and he did have a chance to speak with her regarding the reduction he would be recommending on her land value. He stated Ms. Moresi was in agreement with the reduced value and that he also agreed to conduct an interior inspection on the subject property to verify the quality class of the improvements. Appraiser Lopez further explained that the base lot value for the two-, four- and six-multi-family units was set at \$65,000 per unit; and that, in preparing the packet, there was a sale of the subject in June 2002 at \$545,000. He stated they currently have \$534,235 on the subject property, and the Assessor feels there should be an adjustment on those that have greater than four units. He said his recommendation is that the base lot value of \$65,000 per unit be given a 10 percent adjustment because it has six units, which would result in \$58,500 per unit, or a total land value of \$351,000. He added that the improvement value would remain the same at \$144,235, which would give a new total taxable value of \$495,235. Appraiser Lopez stated again that the Assessor would stand on their written presentation and Exhibits I, II III and XIX

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors were not considered by the Assessor, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 132-222-08 be reduced to \$351,000 and that the taxable value of the improvements be upheld for a total taxable value of \$495,235. The Board

also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-468E HEARING NO. LT-660C - CRISTINA VAN DYCK
PARCEL NO. 132-232-13

A petition for Review of Assessed Valuation received from Cristina Van Dyck, protesting the taxable valuation on land and improvements located at 214 Village Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 045-GC and designated 040-general commercial.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 13, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Lopez noted that he does have a letter from the Petitioner, indicating that she is in agreement with their recommendation. At Chairman Fox's request the letter was submitted as part of the record. Chairman Fox read the letter into the record.

Appraiser Lopez then explained the Assessor's recommendation stating the subject is a commercial parcel, and they requested the income information, which was supplied by the property owner. He directed the Board's attention to page 4 of 13, which shows their analysis of the income approach to value by using a 15 percent vacancy factor, 20 percent for the operating expenses, and a capitalization rate of 9 percent, resulting in a total value of \$658,693. Appraiser Lopez stated it is their recommendation that the land value remain the same at \$489,900 and the improvement value be reduced to \$168,800, for a new total taxable value of \$658,700. He stated that they are requesting the reduction of \$177,681 be applied as obsolescence so the subject property can be reviewed on a yearly basis. Appraiser Lopez stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXI.

Member Sparks asked what the actual gross income was for last year, noting there are no profit and loss statements that would help to substantiate the information.

Ernie Woods, Appraiser, duly sworn, stated that he spoke with the Petitioner, who verbally gave him the information in terms of her gross income, what the rents were, what the vacancies were for last, and they then estimated the expenses.

Chairman Fox asked if he relied on that information for the potential gross income, which Appraiser Woods confirmed. In response to Board Members' questions, Appraiser Woods indicated that the Petitioner's actual income is \$1.95 per square foot for the office space on the ground floor, plus \$1,000 per month for each of the upper

apartments. The ground floor is currently a real estate office and has been for several years.

Member Sparks asked what support there was for the capitalization rate of 9 percent for a potential gross income. Appraiser Lopez responded that two income properties shown on page 2 of his Exhibit III, which are located on Tahoe Boulevard, have cap rates at 7.76 and 8 percent. He said the subject is located off of Tahoe Boulevard, in a less desirable location, which is why they used 9 percent.

The Chairman closed the hearing.

Based on the FINDINGS that obsolescence should be applied to the subject parcel improvements due to the Assessor's analysis of the income approach to value, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member McCormick voting "no," it was ordered that the taxable value of the land be upheld on Assessor's Parcel No. 132-232-13 and that the taxable value of the improvements be reduced to \$168,800 for a total taxable value of \$658,700. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-469E HEARING NOS. LT-1247, -1040, -879, -1138, -1025, -530, -531, -533, -1275, -1084, -599, -354, -1190, -1176, -600, -869, -868.

Chairman Fox noted there are no more petitioners present for the remainder of the hearings set for February 17, 2004; and the Board has no other letters or information on the remaining petitions. He asked the Board Members if anyone finds any reason why the remaining properties are not similar enough to be consolidated and heard together.

Based on the facts that the remaining petitions are identical, not asking for any specific relief, there are no more letters nor any petitioners present, and no additional information has been submitted, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the remaining petitions for the 1:30 P.M. Block for February 17, 2004 be consolidated.

The Clerk of the Board individually called the above-referenced hearings by hearing number, property owner's name and parcel number. Chairman Fox asked if there was anyone present representing those Petitioners. There was no response. He then asked the Assessor if they had any additional information to present.

Rigo Lopez, Appraiser, duly sworn, stated the Assessor would stand on their written presentation submitted and contained in Exhibits I, II, III, IV, IVa, V, IX, X, XI, XII, XIII, XIV, XVII, XIX, XX, XXI and XXIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner(s)	Parcel No.
LT-1247	George A. Binney, Tr.	123-097-01
LT-1040	Lloyd E. Fry	124-043-01
LT-879	Harold and Cheryl Turner	124-043-24
LT-1138	Daniel and Santina Blumenfeld, Tr.	126-231-05
LT-1025	William and Mauri Wilber	130-082-33
LT-530	Timothy R. Evans	131-121-31
LT-531	John M. Rager	131-122-16
LT-533	Rosalie Baclet	131-133-07
LT-1275	Don and Lucy D. Ledoux, Tr.	131-212-10
LT-1084	Bernard D. and Catherine S. Rhaesa	132-211-25
LT-599	Chadwick Andrews, et al.	132-211-27
LT-354	Arvid and Susan Von Nordenflycht	128-080-04
LT-1190	Mary Ferguson	122-128-07
LT-600	KBS LTD	132-221-10
LT-869	Incline Village Enterprise, LP	132-222-19
LT-868	Athletic Club Limited Partnership	124-071-49

BOARD MEMBER COMMENTS

Member Sparks commented that the reason he asked to be on this Board is that for the last five or six years he has watched the professionalism that the appraisal staff demonstrated, and he just wanted to thank the appraisal staff for their professionalism. He stated that he works with assessors' offices all over the country, in 36 states, and this staff does a tremendous job. He related that last Saturday a Petitioner questioned why a sale of which he had personal knowledge was not used. Appraisers Ivy Diezel and Ron Sauer demonstrated great professionalism when they were able to go back to the office, pull that file out, and tell the Board that they found the purchaser of that sale happened to be the seller's daughter, and it was probably not an arm's length transaction.

He also stated he has really appreciated working with all the Board Members; and that, while he and Member Schmidt have had some catching up to do, he felt that they have really worked good together.

Member Sparks further commented that he thinks there has been some misunderstandings concerning the Exhibit III prepared by the Appraisers. He and Member Schmidt have asked that Exhibit III be presented to the petitioners prior to the hearing date. He stated the appraisal record is not Exhibit III, and that past Boards had asked for Exhibit III to be prepared by the Assessor's Office. What the Board kept hearing was that the Petitioner received 54 pages of comparable sales and two pages of

their property data file. He stated that was the appraisal record for the county and that Exhibit III was a summary sheet listing what the Appraisers considered to be the best comparable sales out of the 54 pages. Member Sparks said he wanted everyone to be aware that their appraisal record was sent to them in a timely manner.

9:40 a.m. Having concluded the hearings scheduled for February 17, 2004, the Board proceeded to the February 18, 2004 agenda.

DISCUSSION CONCERNING POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the Board would first consider the hearings where Petitioners were present, then consider any petitions where a letter or additional information was submitted, and then any remaining hearings that assert the same or similar reason(s) for the appeal would be consolidated.

04-470E ROLL CHANGE REQUESTS - DECREASES

Following discussion, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, with Member McCormick voting “no” on Roll Change Requests Nos. 57, 58, 59, 60, 61, and 62, Chairman Fox ordered that Roll Change Requests Nos. 54 through 75, resulting in decreases and placed on file with the Clerk, be approved for the reasons stated thereon.

9:00 A.M. - BLOCK 1

Chairman Fox explained to the Petitioners the order of the day and clarified the role of the Board. He read from “Information and Instructions for Taxpayers and Board of Equalization,” dated October 21, 1998 and noted that these rules were set up by the State Board of Equalization and the Department of Taxation.

He stated that the Board is not a tax board and has nothing to do with taxes. He said they do not refund taxes, and they do not know what any individual’s taxes are. The Chairman advised that the Board’s jurisdiction is limited to the valuation that is placed on property. He explained that the Board is only hearing the current year, 2004-2005, and will not go back and hear previous years except where there is a supplemental bill or a reopening of the roll.

Chairman Fox then explained that the burden of proof that their property value is wrong falls on the property owner, who must show by clear and convincing evidence that the Assessor's value is wrong. He read into the record what the Board could consider as evidence.

A petition for Review of Assessed Valuation received from Barry Brown, protesting the taxable valuation on land and improvements located at 96 Shoreline Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Barry D. Brown, Petitioner, was sworn, and submitted his handout, Exhibit A, to the Board. Chairman Fox asked if the Petitioner had an opinion as to the market value of the subject property. Petitioner Brown testified that he had no opinion of the value; that it would be set by the market, if he placed the property on the market for sale or if he had an assessor; and added that he is not qualified to determine that. Chairman Fox clarified that the Petitioner would not be alleging that the taxable value exceeds the market value because he does not know what the market value is, and the Petitioner agreed and stated that he does not allege that. Chairman Fox noted that the Petition does not state when the property was purchased nor what was paid for it. Petitioner Brown responded that he paid \$728,000 in November of 1997.

The Petitioner handed out Exhibit A to the Clerk and the Board with one set of photos, which were circulated among the Board Members for review. He noted that the packet given to the Board contained his letter, and included his comments concerning land valuations and building valuations. He described his two exhibits, one of which was comparable properties, Exhibit I, that he obtained from the Assessor's Office. He stated he rearranged the information on his computer and added additional information. The Petitioner stated that the other packet contained land maps that have the lots shown in Exhibit I outlined in yellow.

Petitioner Brown testified that he has power lines on his property and that his lot size is not correct. He described the power lines on both sides of his property and utility poles in great detail. He referred the Board to a photo of the pole taken from his second-floor study inside the house. He noted that there is a yellow sign on the pole stating "High Voltage," meaning that it is at least 2,000 volts or higher, and that it has a step-down distribution transformer on the pole for power to houses across Lakeshore Boulevard. The Petitioner stated this is quite a significant factor for this lot, it is an eyesore, and it detracts from the value of the property. He said this pole probably has a hundred thousand watts because it services the entire Lakeshore Subdivision, which is a tremendous amount of current and voltage. The Petitioner testified that he has this specific knowledge because he is an electrical engineer.

Member McCormick asked if it buzzes, and the Petitioner responded that his radio buzzes but not the transformer itself, and he added that buzzing would indicate

there was leakage to the ground, which would prompt him to call the power company immediately. Petitioner Brown then discussed electrical currents and electrical fields in detail.

Chairman Fox said he believes the Board understood his point, that the utility pole and lines are a detriment to the subject property, and that the Petitioner is an electrical engineer and is testifying as an expert. When asked whether the pole was there when he purchased the property, the Petitioner testified that it was there, that he was an electrical engineer at the time, but there was a fence that concealed it from view at that time, and he never thought to look for it.

Petitioner Brown discussed the Assessor's Parcel No. 122-193-33 with a lower land value than his and noted it is a lot that is about two-thirds of a mile away from the subject property and on the other side of Lakeshore Boulevard. Member Sparks noted that the subject property is a smaller lot, and this is a bigger lot and is away from the noise from Lakeshore, to which the Petitioner concurred. The Petitioner stated he believed that was inequitable, and he noted there are other inequities that are mentioned in his documents. He asked whether "equalization" meant that properties should be valued equally based on some factor applied to their size, beauty, or location. Member Sparks responded that the Assessor will take a neighborhood and try to assess to some benchmark or base lot value for the land, and the improvements are based on size, quality, and when it was built. He further explained that each individual property has attributes and characteristics that may detract from or add to the property value, and that is the problem with taking just the raw data in the comparable sheet. He remarked that each of those could be receiving some type of a characteristic adjustment just like the Petitioner has asked for. The Petitioner testified that he did drive up and down the street to ascertain where poles were located on other lots. Member Sparks stated that there are many other things besides electrical poles and when referring to equalization, each parcel must be looked at to make sure they are equal and see why there was adjustments to them. He advised the Petitioner that the Assessor will be asked to explain those adjustments that were mentioned in the letter, and that the Petitioner will have another opportunity to come back up and respond to that.

Petitioner Brown stated that he believes the size of the lots in the same neighborhood and the taxable land value of those lots should work out in a constant ratio, so that the dollars per acre would be the same. Chairman Fox restated that the Petitioner wanted to see a direct correlation between the size and value within a given neighborhood, which the Petitioner conceded.

Petitioner Brown then stated that apparently the building values are uniformly based upon a guide by Marshall & Swift. He remarked that the home valuations with a similar grade and square footage should work out to similar prices per square foot, and he noted that he added a dollar-per-square-foot column.

Chairman Fox asked if the Petitioner used that final number to derive the dollar per square foot, or taxable value. The Petitioner responded that he used taxable

improvements, divided by buildings square foot. Chairman Fox clarified that the Petitioner used the taxable value. Petitioner Brown added that he included extreme examples in the table, and added that he feels it should be averaged out from 102 to 97 on the houses.

Petitioner Brown stated that Gary Warren was fairly good about getting the information to him, and the only problem he had is because he works as a ski instructor in the winter, seven days a week, and the information could not be sent to him earlier than last Friday.

In conclusion, the Petitioner testified that he did notice a discrepancy between what Appraiser Warren said to him as compared to something Theresa Williams said when she was talking about adjusting the tax rolls. He noted that Appraiser Williams said she went to Juniper Trails and found an average base lot value of \$200,000 per acre. The Petitioner noted that she was talking about areas, not lot sizes, and that he presumed that when she went from there, she would change lot values based on how big they were, which would put some justification to the letter. He added this might be something the Board might consider changing on how things are assessed.

Chairman Fox informed the Petitioner that he would have an opportunity to come back up after the Assessor gave their information, but when he returns he would be limited to a rebuttal of what the Assessor presented and will not go back to his presentation again.

Appraiser Warren reviewed sales of comparable properties, substantiating that the Assessor's total taxable value does not exceed fair market value. He stated the Assessor, in addition to verbal testimony, would stand on their written presentation and Exhibits I, II, III, XVI and XVII. Appraiser Warren stated that, as far as land value, there were two sales on Lakeshore Boulevard and one on Slot Peak Court located just north of Lakeshore Boulevard. Appraiser Warren said the best indication of value for the subject site would be the November 1997 purchase of the property for \$728,000.

He further noted that, in researching the records, he learned that a retired appraiser with the Assessor's Office talked with Mr. Brown. He stated that Mr. Brown tore down the house, except for the foundation, garage, walls, and that he estimated a contributory value for the permits and remaining improvements at \$100,000, which would leave a residual land value of \$628,000. Appraiser Warren said, using that as a basis of the land value, and adjusting it to the current value of \$700,000, would come to a little over two percent per year; which is not a very high appreciation rate for Lake Tahoe. He mentioned that there are four improved sales in the middle of page 1 of Exhibit III, which indicate that the taxable value does not exceed full cash value.

Appraiser Warren commented that, in regard to Mr. Brown's analysis of the price per square foot, the Petitioner's analysis is using taxable value. He testified that taxable value is a depreciated cost, and that taxable value also does not account for differences in the property, such as bathroom counts, type of heating, type of exterior

walls. He added that he has no way to make a comparison, as the Petitioner submitted, to evaluate whether the property is out of line, based upon the houses submitted by the Petitioner.

Chairman Fox asked Appraiser Warren if the remodeling, subsequent to the 1997 purchase, was significant enough to cause him to change the weighted average year of the improvements. Appraiser Warren responded that the property was built in 1966, and the weighted average year is now 1994. Chairman Fox commented that there must have been significant investment in the property in addition to the purchase price, and he asked Appraiser Warren if his records indicate any amount that might further explain. Appraiser Warren responded that they do not have a construction cost, but that it did cause them to change their value.

Member Obester noted that the base lot value of the subject is \$700,000, and the lot right across the street is \$750,000. Appraiser Warren explained that lot is on Lakeshore Boulevard and those lots are typically larger than the ones on Shoreline Circle. Member Obester asked Appraiser Warren whether he had looked at the Petitioner's letter, and exhibits, and studied them closely to see if there was some common sense in his argument, particularly the property that backs up to his land that is .53 acres and valued at \$525,000. Appraiser Warren replied that he was not familiar with that sale.

Chairman Fox asked if Appraiser Warren gave any consideration to the power pole, whether he considered that a nuisance to the property, or whether there was a deduction made for the power pole. Appraiser Warren replied that a deduction was not made because the power runs along the entire south side of Lakeshore Boulevard. He said Mr. Brown did show him the photos showing the proximity of that pole to his house, but that he was not aware that the line came that close to the home.

In response to Member Sparks, Appraiser Warren stated the line has been there for some time. Member Sparks noted he would ask Mr. Brown whether that power line was there when he built the new addition to his house, and Appraiser Warren stated that as far as he knows that was the case.

In rebuttal, Petitioner Brown testified as to the construction costs of the house stating that he was the architect on the house. He said he did not have the figures in front of him, but that it cost approximately \$550,000 to build the house and other improvements. He added that figure did not include demolishing part of the old house.

Chairman Fox noted that those are additional figures that would be added to the construction cost, as well as architect fees, which are not included in the amount. Petitioner Brown estimated the architect fees at \$5,000 to \$10,000, plus paying Ram Engineering approximately \$12,000 for doing the structural calculations, as well as the roof trusses being done by the roof truss company.

Chairman Fox summarized those investment expenditures would be approximately \$128,000 plus the \$550,000 plus the demolition costs. Petitioner Brown stated he did not have figures at this time.

The Chairman closed the hearing.

Member Schmidt commented that the subject parcel is on the smaller end of the scale of those parcels on Shoreline Circle, and that it also is a corner lot and suffers a little more for traffic and setback considerations. He stated that he considered the power lines an equalization issue and more of a detriment than the other adjoining parcels, based on the testimony and evidence presented.

Chairman Fox stated the Petitioner is an electrical engineer, and that it did not affect his decision to buy the property.

Member Obester stated he felt this whole area does not lend itself to mass appraisal, and that it will take individual assessments to come up with equitable values. He stated he would support a ten percent reduction for the power line.

Member Schmidt stated he would support a five percent reduction, based on lot size, corner, and power line.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Sparks, which motion duly carried with Members Schmidt and Obester voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-161-08 be upheld.

04-472E HEARING NO. LT-1035 – EDWIN M. POSIN, TR., ET AL
PARCEL NO. 122-162-20

A petition for Review of Assessed Valuation received from Edwin Posin, protesting the taxable valuation on land and improvements located at 41 Shoreline Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Edwin Posin, Petitioner, was sworn and submitted a letter, Exhibit A. In response to Chairman Fox's comment that the petition indicates the Petitioner's opinion of market value is unknown, Petitioner Posin confirmed that he did not have an opinion as to market value at this time. In further response to Chairman Fox, Petitioner Posin stated that he bought the property in the late 1980's and paid somewhere in the \$800's,

but it was an exchange, that it was a higher price than average, and he added that he did not know what that was.

The Petitioner testified that he and his wife are not realtors; that this is the only property they own in the State of Nevada; and that this appeal is based on comparable values and environmental health and safety. He stated the property right across from them, 50 Shoreline Circle, is identical to his, except his garage access is off Lakeshore, whereas the neighbor's access is off Shoreline. That property was for sale for approximately two years and they reduced the price many times. Mr. Posin stated that property finally sold in the fall of 2003. That property is modern, up-to-date interior, whereas his is rustic, wooden and showing its age. He listed the other differences between the two properties.

Leanore Posin was sworn and testified that her house is an old Tahoe house, and the comparable house is like the houses in Hollywood. She responded to other questions from Member Obester concerning the differences, interior and exterior, between the two homes.

Mr. Posin then addressed environmental issues stating they do not have quiet enjoyment of their property, and that their health and safety is being jeopardized because of noise and air pollution. He said it seems like they are in a mini-industrial zone, and he described the Duffield parcels south of them, number 19, which is used as a storage work area. He noted that it is not a single-family residence occupied for living. Mr. Posin showed photos to the Board and stated that adjoining their property is an exterior diesel power plant, and he testified that the chimney is not wood burning but is the exhaust for diesel equipment, stemming from a 2000-gallon in-ground diesel tank.

Chairman Fox asked the Petitioner if his belief is that the adjoining property creates a hazard. Petitioner Posin replied that the building next door is not the building that the property owner lives in, that it is considered his carriage house for the equipment, and that the diesel equipment is tested once a week, causing extreme noise and fuel exhausts. He stated that the significance is that the power plant runs on a nano-second break in power. Chairman Fox asked if the Petitioner's point is that his neighbor has a privately-owned power plant that creates an obnoxious odor, fumes, and detracts from the enjoyment of the property, to which the Petitioner concurred.

The Petitioner enumerated issues which detract from the value of his property, such as the neighbor's property used as an industrial area for storage, that there is a continual influx of cars and trucks and employee parking, including a garbage dumpster that sits out there all the time. The Petitioner further stated that the neighbor has installed video cameras on the property line, which invade their privacy. He noted that the security people who are across the street have come over and approached workmen on their property wanting to know what they were doing there, because they were picked up on video cameras. He reiterated that they have a noise pollution problem, an air pollution problem, and that they have a privacy invasion situation.

Member Obester clarified that these problems are on both parcels 18 and 19, the parcels to the south and east of the subject property, which Petitioner Posin confirmed. Petitioner Posin also stated that the neighbor was able to pay for and get his utilities put underground and in doing so got the power poles repositioned onto the subject property.

Chairman Fox asked if the Petitioner had an estimate of how much these nuisances have affected the value of his property, and the Petitioner replied that he does not. Chairman Fox asked if any of these have been reported to regulatory agencies, such as the Health Department, or the Building and Safety Department, the Police Department, the Fire Department. Petitioner Posin stated that he had reported to the Sheriff's Department, who stated they would contact Mr. Duffield, and that he had not heard much back afterwards.

Appraiser Warren reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated that in addition to the verbal testimony, the Assessor would stand on their written presentation and Exhibits I, II, III, XVI and XVII. Appraiser Warren stated that the sale across the street from the subject property was not included in Exhibit XVI because it was a sale that came across after the exhibit was prepared, and he noted that the information on that sale is contained on page 1 of Exhibit III.

Member Sparks asked what the taxable land and improvement value was on the sale of that property, and Appraiser Warren replied that it was \$1,325,000, total and confirmed that it would have had a base land value of \$700,000.

Appraiser Warren referenced that sale as being the best comparable because they are similar in size, directly across the street from one another, similar in ages. In regard to the interior finishes, he stated that he has not been in either of the properties, but that based on sales price per square foot of SCI-1 at 296, and comparing it to the subject property at \$282, the taxable value is very close to market value. He further stated that he was not aware of the detrimental influences from the Duffield property. He stated the Duffield complex is a very large complex with three houses and the carriage house or garage area.

Member Sparks asked what the general quality class differentiation between 7.5 and 8 per square foot was, as far as cost, and Appraiser Warren estimated approximately \$7.00 a square foot.

Member Schmidt asked when was the last time that anyone inspected the subject property for quality class, both exterior and interior. Appraiser Warren replied that the exterior was done during the 2003 reappraisals, and he stated their record indicated that there has been no interior inspection in recent years.

In rebuttal, Petitioner Posin stated the comparable sales was not comparable, because five bedrooms is not comparable to four, nor is 250 feet of excess

deck comparable, the larger sized lot, the larger sized home, the access off of Shoreline for the driveway, compared to Lakeshore, and he added that these are factors that were not being taken into consideration.

Petitioner Posin stated that he has not been contacted by the Assessor regarding doing an inspection, and he noted that the subjective figure of \$7.00 a foot might be a minimum figure when talking about square footage being in the hundreds of dollars a square foot and with all of the other factors involved. He reiterated that when considering identical situations, opposite corners, same side of Lakeshore, that the subject property is worth significantly less, and then there are the environmental health factors.

The Chairman closed the hearing.

Member McCormick commented that perhaps the major problem with this property is the neighbor, but the Board may not have authority to make allowances for that. She further stated that, given the \$7.00 difference between the two quality classes, and with the concern for ingress and egress for the property, that she would be willing to entertain a small reduction in value.

Chairman Fox stated he believes there is an equalization problem.

Member Sparks agreed that ingress off Shoreline would be much better than have to access your property off Lakeshore and suggested that the Assessor do an inspection of the property so that both parties know there is balance or reasoning of what that number is.

Member Schmidt stated he would support that suggestion and would also support a reduction of \$50,000 on the taxable land value, based upon both the driveway access off Lakeshore.

Based on the FINDINGS that adverse factors (driveway access off Lakeshore Boulevard) were not considered by the Assessor, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 122-162-20 be reduced to \$650,000 and that the taxable value of the improvements be upheld for a total taxable value of \$1,217,997. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

Chairman Fox explained the decision to the Petitioner stating they have reduced his land value by \$50,000 and have asked the Assessor to contact him to review the quality class of the house and make any appropriate adjustments.

11:30 a.m. The Board took a short recess.

A petition for Review of Assessed Valuation received from Philip Erickson, protesting the taxable valuation on land and improvements located at 1013 Lakeshore Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDR and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Chairman Fox asked about the unusual shaped easement on the parcel. Appraiser Warren described the history of the original parcels and a reversion to acreage that was done changing four parcels to two. Appraiser Warren stated the easement was there to provide access to all four of the parcels, but is now only used by Mr. Erickson. He further stated there is another access across the Erickson property to the Jacsick property next door that does not really follow that easement, and the Assessor has made an adjustment on the subject property for the easement.

Adam Pernsteiner, Attorney for the Petitioner, was present and was sworn by the Clerk. He testified that there was a reappraisal done in 2003, and that he was in agreement with the values reached in that reappraisal. He noted that there was an appeal and there were some concessions on both sides. Mr. Pernsteiner stated that their only disagreement today is with regard to the rate of increase for the assessed land value. He noted that Appraiser Warren informed him that this was primarily based on the sale of LFL-7, which is a neighboring property. He further stated that a single sale in the neighborhood does not justify the rate of increase that is associated with the proposed valuation of the property for this year. He further stated they were in agreement with the old value, and that nothing about the property has changed, noting that the easements still exist. He stated they might support a more modest increase in the value of the property, because it has only been one year and nothing else has changed.

Member Sparks asked for clarification as to which value he was referring to. Mr. Pernsteiner replied that he was asking for relief to the 2003 value of \$9,600,000.

Chairman Fox noted that that was the 2003 reappraisal value, and he added that perhaps the Appraiser could clarify that for the Board. Chairman Fox directed Appraiser Warren to page 3 of Exhibit III and asked how the value got from \$9,622,000 to \$10,471,000.

Appraiser Warren responded that this property came before the Board of Equalization last year. He explained that it was a house that was built in 1978 with a weighted average year of 1985. The Board's decision at that time was to consider it a teardown property, and the land value was reduced by the taxable improvement values.

He stated that subsequent to that, the County Board also reduced the lakefront values by 10 percent. In reviewing the decisions that the Board made last year, he stated the Assessor felt that this was an excessive amount because the property was still being used as a residence, and that there are no indications that it is going to be torn down. He stated that they have placed the improvement value back on the land.

Chairman Fox asked Appraiser Warren if he felt that the taxable value of the improvements, as computed in the regular manner with Marshall & Swift, less depreciation, did contribute to the total taxable value and should not have been deducted from the land, and Appraiser Warren agreed.

Appraiser Warren stated that in addition to the verbal testimony, they would enter into the record Exhibits I, II, III and XX, and that the representative for the Petitioner does have those. He concluded by stating that the biggest issue was the land value, and that the most comparable sale was two parcels away from the subject property, that it was very similar in size and was a cash sale, which was in 2001. He noted that they were using that as a primary basis to estimate the value of the subject property. He stated that based upon the analysis contained on page 1 of Exhibit III, it was their opinion that the taxable value does not exceed full cash value and would recommend that the Assessor's value be upheld. The Appraiser then responded to questions from Board Members.

Attorney Pernsteiner stated that their main contention was with the increase in the land value, and their position was that the 2003 valuation was more adequate and was a more substantial basis for a valuation than a single sale, albeit in the neighborhood.

The Chairman closed the hearing.

Chairman Fox noted that he was on the Washoe County Board of Equalization last year, and noted that the Board decided that if someone were to pay \$10,000,000 for the land, they wouldn't do it for the building, that they would tear the building down and build one of those trophy houses. He stated that it was the Board's feeling that, in those cases, the improvements contributed no value to the total, so the value of the improvements was deducted from the land. He noted that this is the question that is still before the Board.

Chairman Fox also noted that the Assessor reviews all of these every year, and have apparently decided that the improvements do contribute value on the subject property, and so they added the value back in to the land, which had been deducted the year before. He added that they didn't add back in the overall ten percent reduction that was made on all the lakefront parcels, but just that portion that was deducted because the Board did not believe the improvements contributed to the value.

Member Schmidt commented that the best comparable is the property two doors down from the subject property. He further noted that it is a five percent larger

parcel and stated that on parcels of this size and dollar value, he would be comfortable adjusting it five percent, which takes about \$750,000 off. He noted that the Assessor has been very diligent, and that based upon an equalization problem, he would support the requested relief to the Petitioner.

Member Obester noted that he would support some kind of relief but was unsure how to get there and was confused with all the numbers and adjustments. He asked if the same property was used to establish a value in 2003 and if it's the same now, whether the Board needed to revert back to that. There was discussion regarding the numbers and how to word a motion.

Member Schmidt made a motion, based upon the evidence presented by the Assessor's Office and the Petitioner, to reduce the subject property land value from \$10,471,900 down to \$9,622,000. Chairman Fox asked if he included the amendment that the improvements do not contribute value, because that's how the \$9,622,000 came about. Member Schmidt stated that he was basing his motion on an argument of equalization.

Chairman Fox noted that if his amended motion was accepted, he would second the motion, and Member Schmidt amended the motion to say that it was based partially on the non-contributing factor of the buildings to the property because of the magnitude of the price on the property, and additionally upon an equalization argument. Chairman Fox seconded the motion.

Member McCormick commented that she did not believe the Board could equalize every single property in the county, and that if one person appeals, then that argument, by extension, would mean they would have to adjust every single related property, comparable or similar properties, and for that reason she had difficulty with that concept. She noted that she was satisfied with the Appraiser's recommendation.

Member Sparks commented that LFL-7 was 107 feet east of the subject property. He noted that the subject did have an easement on it and was granted a five percent reduction for that easement. He suggested a better way to substantiate a reduction would be to use the base lot value of \$10,900,000 and grant a ten percent discount for the easement, which would reduce the land to \$9,850,000 and adding in the pier at \$500,000 would result in a total land value of \$10,310,000. He stated he did not think a 5,956 square foot house with a quality class of 8 could be ignored.

Member Obester commented that that was almost no reduction at all.

Chairman Fox called for the vote on Member Schmidt's motion. The motion failed with Members Obester, Sparks and McCormick voting "no."

Member Sparks moved to adjust the land value by increasing the five percent discount for the easement to a ten percent discount, which would adjust the land value from \$10,471,900 to \$10,310,000. He explained his calculations and adding the

\$500,000 back in for the pier. He stated the improvements would stay the same at \$839,564. Member Obester seconded the motion.

Member Schmidt asked for clarification of the motion, and asked for the end land value and the end improvement value. Member Sparks replied that the end land value was \$10,310,000, which included the \$500,000 pier lump sum adjustment, and that the improvements would remain the same at \$839,564. Chairman Fox asked if that agreed with what Member Obester seconded, and Member Obester replied affirmatively. Member Schmidt stated he still did not understand the motion. Member Sparks explained again.

Based on the FINDINGS that adverse factors were not given enough weight by the Assessor, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 130-230-35 be reduced to \$10,310,000 and that the taxable value of the improvements be upheld for a total taxable value of \$11,149,564. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-474E HEARING NO. LT-443 – MARGARET M. TAYLOR, TR.
PARCEL NO. 130-242-01

A petition for Review of Assessed Valuation received from Margaret M. Taylor, protesting the taxable valuation on land and improvements located at 1660 Pine Cone Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Gary Taylor, Petitioner, was sworn and submitted a letter, Exhibit A, and testified that he has one of the smallest lots in Incline Village. He questioned the land value, and testified that the house was built under Tahoe Regional Planning Agency code and ordinances that allowed 30 percent coverage, or approximately 2,600 square feet on the parcel. The Petitioner stated he was contesting the land value, not the building value, because of the reduced allowable coverage on the parcel. He stated he had the survey of the parcel immediately next-door, and noted that it was the same size lot but it had 1,500 square feet more coverage than the subject property. The Petitioner suggested they were exploring the development potential of scraping the house and putting in a monster home or a trophy home. He requested the Board to reduce the land value by 20 percent to \$560,000 based on lack of coverage for development potential.

Chairman Fox asked the Petitioner if this lot had an interest in any other lots, and Petitioner Taylor testified that he was on the Board of Directors of the

Homeowners Association, and he stated that they have a lakefront parcel, which has beach frontage, a pier, and a buoy, and that they have a one-twenty-seventh interest in that.

Member Sparks noted that the Assessor was recommending \$650,000, and the Petitioner stated that he felt it should be lower than that because of lack of development potential, which included the size of the home that can be put in.

Member Sparks asked the Petitioner if he realized that under Nevada Statute, the Board had to consider the value in use. Petitioner Taylor responded that 1680 Pine Cone Circle had 1500 more square feet of impervious coverage than the subject parcel.

Appraiser Warren reviewed sales of comparable properties, substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Warren stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXIV.

Appraiser Warren stated there was a recommendation on this parcel, and that there would also be further reductions on Pine Cone Circle parcels. He said an analysis of recent improved sales in the area indicate that taxable value was bumping up to full cash value. He noted that one of the reasons they are making a recommendation was because of time adjustment, and that this was overstating land values. He stated his recommendation on the subject property was that the land be reduced to \$650,000.

Member Schmidt asked if that was the same as Lakeshore, which Appraiser Warren confirmed.

In response to a question by Member McCormick, Appraiser Warren responded that the Homeowners Association had two parcels, and he directed her attention to page 2 of Exhibit III. He stated that area "242," in the center of the block, was a common area parcel for the subdivision and was a meadow area and streams. He stated that area "241" was also a common area beach with a pier that the property owners own jointly. Appraiser Warren addressed Member Schmidt's inference and answered Member McCormick by stating that the land values were high because of the beach access and the common area parcel that was part of that subdivision, and he noted that Lakeshore Boulevard did not have those amenities.

In response to another question by Member Schmidt, Appraiser Warren stated that the dotted line going from Lakeshore Boulevard to the right delineated the extent of the Incline Beach Subdivision, commonly called the Pine Cone Subdivision, and he confirmed that it did include some beachfront lots.

Member Schmidt noted that there was a different base lot value assigned to those that do have individual frontage, and Appraiser Warren responded that the

parcels that were on the lake are valued on a front-foot basis, whereas the interior lots are based on a site basis.

In rebuttal, Petitioner Taylor stated that they are not in agreement as to what the land value should be, and he stated he felt the reduction should be at least \$100,000.

The Chairman closed the hearing.

Member Schmidt noted that his understanding was that the reduction offered by the Assessor was a blanket reduction based on a re-evaluation and didn't give consideration to the re-use capacity of this lot in regards to coverage. He added that the question was whether the Board wanted to make a further reduction based on the coverage factor. Member Schmidt stated that he could support an additional \$25,000 reduction based upon diminished coverage.

Based on the FINDINGS that the Assessor is recommending a reduction in the land value because their analysis indicates they are approaching full cash value, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 130-242-01 be reduced to \$650,000 and that the taxable value of the improvements be upheld for a total taxable value of \$807,683. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-475E HEARING NO. LT-1105 – MAX SOBOL, TR., ET AL.
PARCEL NO. 123-101-01

A petition for Review of Assessed Valuation received from Max Sobol, protesting the taxable valuation on land and improvements located at 526 Gonowabie Road, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property. Chairman Fox asked to have the location pointed out on an aerial map for further clarification.

Robert Henan, part-owner, representing the Petitioner, was sworn and testified that he questioned the land value. He stated that he received information from Appraiser Warren in December of 2002, which demonstrated the sale prices and land values of adjoining properties. He stated the adjoining parcel, 123-101-14, is 1.123 acres and had an extracted land value of \$1,751,000, and that parcel 123-101-04, at .608 with a pier, had an extracted land value of \$989,821, and that, mathematically, that would come out to about \$1.5-million per acre for the first parcel and \$1.65-million per acre for the second one. The Petitioner pointed out that there has been no consideration for the new

Tahoe Regional Planning Agency's scenic ordinances and no consideration for the hardship in reduction of future development of these properties. He testified they were already on a Class 1-A, which allows 1 percent coverage, total, some restriction, but it would be near impossible to replace this house under the new ordinances.

Member Obester asked what the land value should be, and the Petitioner responded that it should be \$500,000, if you compared the properties valued by the Assessor at \$1.5 million per acre, with the subject property only being one-third of an acre.

Member McCormick noted that the petition was incomplete and did not indicate when the property was purchased or what the purchase price was. Petitioner Henan responded that the petition was retrieved from the Internet, and that the subject property was purchased in 1996 for \$935,000. Member McCormick noted that she wanted to avoid a possible conflict and asked if it was a family grouping, and the Petitioner responded that it was two partners, and stated there was no conflict.

Member McCormick asked if it was the Petitioner's contention that the \$1,195,000 total exceeded the amount that the subject property could be sold for, and the Petitioner answered that the only comparable value was the last sale, which was in 2000 and a larger parcel with a pier, and other properties on the block which have not been sold. He noted that the street was compromised a bit by access.

Appraiser Warren reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He noted that the subject had been given a five percent reduction for lot size since it is slightly smaller than the typical lot on Gonowabie. Appraiser Warren stated the Assessor would stand on their written presentation and Exhibits I, II, III and XI. He noted that Gonowabie is a very unique neighborhood; that there were no vacant sales; and the land values established for properties in Gonowabie were done by the extraction method. He explained that, based on analysis, they came up with a base value on a site basis of \$1.5-million; and like the rest of Crystal Bay, it was valued on a site basis because the shores are so irregular, because there are a lot of boulders, and because the properties did not seem to be bought and sold on the front-foot basis as in Incline.

In response to Chairman Fox, Appraiser Warren confirmed that the subject parcel was approximately a third of an acre and the improvements were 5,467 square feet, but he did not know what the amount of impervious coverage was.

Chairman Fox asked for clarification as to whether the property owner could use the coverage they have if they want to do some future development. Appraiser Warren stated that there have been a number of additions to the property; that additional square footage was added to the house in 1998; and, in 2002, a garage was added which has a studio beneath the garage. He stated that there was a considerable amount of square footage of living area. He indicated that they have it listed as three levels, including the

garage, the finished basement below that, and then it goes down to the house which has three levels.

Member Schmidt referred the Appraiser to CBLFI-6 and asked whether that was a one percent time-adjusted sale. Appraiser Warren responded that it was .75 percent per month time adjustment. Member Schmidt noted that would be same sized lot but that it had a time-adjusted sale of \$1.8-million, which was less than the taxable value of the subject.

Member Sparks noted that it had a house only one-third the size of the subject.

Member Obester asked the Appraiser if there were any vacant parcels in this area, and the Appraiser responded that there were not any that were lakefronts. Member Obester asked if Mr. Duffield had purchased property in this area, and the Appraiser replied that he had not.

In rebuttal, Petitioner Sobol stated that the coverage on the property was approximately 2,500 square feet. He added that they did have a garage, which was part of the Health and Safety of the County of Washoe. They were allowed 400 square feet, but because of their particular site conditions, which were a 30+ percent slope, they needed to build a bridge; and they had to expand on that and actually brought in coverage to build the bridge to the garage.

The Chairman closed the hearing.

Member Schmidt stated that he had a problem with this particular one and read into the record NAC 361.628, Summary of Appraisal Data, Paragraph 2: "Summary must be accompanied by a map of the area showing the location of the property and all comparable properties." Member Schmidt noted that the section says that it must be a map. He further noted that Exhibit III showed the subject, but there was no map that included both the subject and the comparable properties. He stated that they have had to be directed to the comparables and were now being required to use three separate maps, four in all, rather than one map as the Administrative Code requires. Additionally, Member Schmidt added, the comparables were not marked, and that he had been required to search for them by parcel number. He stated this was entirely unacceptable.

Chief Appraiser Steve Churchfield commented that the importance of NAC 361.628 was to make sure that the Board could locate the property on the maps and that it did not matter if it was one map or ten maps, as long as they could find the properties. He added that Member Schmidt's comment that he could not find the properties was very well taken.

Member Schmidt stated that he was in disagreement, and added that the code section speaks for itself and says, "a map," not "maps," and that the practice of the Assessor's Office had been, in his experience of being before the Board 26 times, that in

every hearing they had a map identifying the subject property and the comps on a single map, all identified with arrow and notations. He stated that he understood this year there were 1600 appeals and the Assessor's Office had been doing an admirable job with a lot of overtime just getting the materials to the Board, but this was in violation of the Administrative Code and was not acceptable.

Chairman Fox indicated that there was an aerial map in front of the Board that contained all the information, albeit, hard to locate, but it was there. Member Schmidt asked if the Board could take a 15-minute recess in order for him to sort all the papers out that are not appropriately prepared. He noted that he would be willing to do so and then participate in the hearing. Chairman Fox stated that the Board would not do that but did sympathize with Member Schmidt.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-101-01 be upheld.

12:15 p.m. The Board recessed for lunch.

1:25 p.m. The Board reconvened with all members present as in the morning, except Member Schmidt. Chairman Fox noted that there were no Petitioners present, only staff. He requested that, as long as there were no Petitioners present, the Appraisers combine their introduction and presentation.

04-476E **HEARING NO. LT-34 – ROBERT PREGER**
PARCEL NO. 122-162-07

A petition for Review of Assessed Valuation received from Robert Preger, protesting the taxable valuation on land and improvements located at 85 Shoreline Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XX.

The Petitioner was not present, but had submitted a letter questioning the lot size, Exhibit A, which was reviewed by the Board.

Member Sparks noted that the Petitioner said they had a survey done that showed their lot size as .29 acres, but the Assessor showed .43 acres, and asked for a clarification. Appraiser Warren responded that it was actually the subdivision map that said it was .43 acres. He stated Mr. Preger was referring to the Tahoe Regional Planning

Agency, which only goes to the high water line, and the Assessor was going by the official record at .41.

1:35 p.m. Member Schmidt returned to the hearings.

Member Sparks remarked that the Petitioner also asks if acreage is a factor for lakefront parcels. Appraiser Warren responded that was taken into account in the matrix for the land values.

Member Obester asked what the base lot value was, and Appraiser Warren replied that it was the front-foot value on Shoreline Circle.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-162-07 be upheld.

04-477E HEARING NO. LT-1179 – JANET H. & TODD A. LOWE, TR.
PARCEL NO. 122-162-09

A petition for Review of Assessed Valuation received from Janet H. and Todd A. Lowe, protesting the taxable valuation on land and improvements located at 77 Shoreline Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XX.

The Petitioner was not present, but had submitted a letter, Exhibit A, which questioned the methods of appraisal and teardown figures. It was noted that the exhibits the letter referred to were not included with the letter.

Member Sparks noted the Petitioner discusses an appraisal by a certified professional appraiser, but there is no appraisal in his packet. Chairman Fox commented that he did not have it, either.

Chairman Fox indicated to the Board that they must act on the information that they have, and, if the Petitioner is not satisfied with the Board's decision, he can appeal to the State Board. There might be additional information that he can bring forward.

Member Sparks stated the Petitioner's record needed to be made at this time. Chairman Fox noted that they could not make the record if they did not have the exhibits. Member Sparks stated he wanted to make it very clear that all the Board received was a nine-page fax, with none of the listed exhibits attached.

Member Schmidt asked Appraiser Warren if he had a list of Exhibits A through W, and Appraiser Warren responded that he had the same letter, but none of the exhibits. In response to Member Schmidt, Appraiser Warren confirmed that he had not had any conversation with the Petitioner.

The Clerk stated that the fax cover page indicated 10 pages, and all 10 pages were accounted for.

The Chairman closed the hearing.

Member Schmidt commented that he would not vote on this matter because he had not had time to review the letter in detail. He noted the Petitioner raises issues that are beyond the purview of the Board, which have to do with percentage increases. He stated there were also other items that he had previously expressed concerns about in relation to teardown comparables, and he had not received the foundation so that he could support any of the teardown comps that he had in his packages.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-162-09 be upheld.

04-478E HEARING NO. LT-1278 – ROGER C. & NAOMI K. STEELE, TR. -
PARCEL NO. 122-162-14

A petition for Review of Assessed Valuation received from Roger C. and Naomi K. Steele, Tr., protesting the taxable valuation on land and improvements located at 63 Shoreline Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XX.

The Petitioner was not present, but had submitted a letter, Exhibit A, requesting a postponement of the hearing and questioning the land value due to lack of boating access when the lake level is low. The Board reviewed Exhibit A.

The Chairman closed the hearing.

Member Sparks commented that the letter indicates they were not given adequate notice. Legal Counsel David Watts-Vial stated it appeared that the notice was appropriate.

Member Sparks noted the Petitioner stated his opinion of the land value was \$5,000,000, and the Assessor's value is \$4,460,400.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-162-14 be upheld.

**04-479E HEARING NO. LT-35 – 859 LAKESHORE ASSOCIATES INC.
PARCEL NO. 122-181-24**

A petition for Review of Assessed Valuation received from 859 Lakeshore Associates Inc. (Dean Meiling), protesting the taxable valuation on land and improvements located at 859 Lakeshore Blvd., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XX.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The letter questioned the assessment based on "Stream Environmental Zone / Floodplain Issues" and rate of the appraisal increases.

Member Schmidt asked several questions concerning the information sent to the Petitioner. Chairman Fox explained that the sales data being sent out to the people in Incline Village has grown out of necessity. He stated that the Assessor used to send just the sales in the immediate vicinity of the subject property, and then everybody complained that there were other sales that were not shown. The end result is that now the Assessor is providing all the information they have to the Petitioners.

Member Schmidt noted allegations regarding Stream Environmental Zone resulting in a 60 percent reduction on the buildable envelope. Appraiser Warren stated that was on the other parcel, Hearing LT-38, 122-181-38; and, according to TRPA, they did not have a delineation of an SEZ on that property. Appraiser Warren stated that there was a stream that he would address when the Board hears parcel -38.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-181-24 be upheld.

04-480E HEARING NO. LT-36 – DEAN MEILING
PARCEL NO. 122-181-25

A petition for Review of Assessed Valuation received from Dean Meiling, protesting the taxable valuation on land and improvements located at 863 Lakeshore Boulevard, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XX.

The Petitioner was not present, but had submitted a letter, Exhibit A, which questioned the assessment based on "Stream Environmental Zone / Floodplain Issues" and rate of the appraisal. The Board reviewed Exhibit A.

In response to Member Sparks' question whether this parcel had an SEZ on it, Appraiser Warren replied that it did not. Member Sparks stated this is the same letter as on the previous hearing. Appraiser Warren added that the Petitioner did indicate which parcels he was referring to for the different issues, but that the letter covered all three parcels. He noted that the paragraph at the bottom of the page only pertained to parcel -38.

The Chairman closed the hearing.

Member McCormick asked, since these parcels were adjacent, if the Board had given additional value to the fact that he owned adjacent parcels. Chairman Fox stated, if they were combined, the Board would make an adjustment to the value; and if they were still being used as separate properties; the Board would value them as a single parcel, because that was required by law.

Member Obester noted this would be a separate parcel, which Appraiser Warren confirmed, with a separate building on it and garage.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-181-25 be upheld.

04-481E HEARING NO. LT-38 – 859 LAKESHORE ASSOCIATES, INC.
PARCEL NO. 122-181-38

A petition for Review of Assessed Valuation received from 859 Lakeshore Associates, Inc. (Dean Meiling), protesting the taxable valuation on land and improvements located at 854 Lakeshore Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Chairman Fox requested that the Appraiser discuss the SEZ zoning in his introduction and presentation.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property. He stated that, in valuing the subject property, he considered it part of the adjoining parcel, 122-181-24 because, given there is a stream running through part of the parcel, even though TRPA does not identify it as an SEZ, the 50-foot limit and the setbacks would not make this a buildable lot, so it has been valued in conjunction with the adjoining parcel. Appraiser Warren directed the Board's attention to page 9 of Exhibit III and identified the location of the stream, being on another adjoining parcel, 122-181-61. Chairman Fox asked if the stream was a "loop" on the subject property. Appraiser Warren responded that was correct. Chairman Fox confirmed that the stream does render the lot unbuildable and the Assessor valued it according to the lot's contributory value to the adjoining property.

Member Schmidt asked if there were any improvements on -38. Appraiser Warren stated -38 is a vacant parcel. In response to Member Schmidt's request for clarification, Appraiser Warren stated that there is a provision under 361.227 section 2(c) that states that, in the judgment of the appraiser, if they are so configured that they are being utilized as one parcel, that they can be combined, and he noted that was the provision he applied. He explained that because the lot was so narrow and with the stream, it could not be utilized as a single parcel so he combined it with the adjoining parcel that is under the same ownership.

Member Schmidt asked what evidence Appraiser Warren had that it was being utilized as one lot. Appraiser Warren responded that the fence line was between parcels -38 and -61 and it is open between -38 and -24, it is all one naturally landscaped area, and there was one fence going across and no fences in between the two lots. As further clarification to Member Schmidt's question, Appraiser Warren stated that there was no fence between -28 and -24, and there was a fence between -38 and -61, but he believed the fence was on -61. Member Schmidt stated that if the fence belonged to -61, then it was not relevant.

Member Schmidt commented that so far he does not have convincing evidence that the two lots are being utilized as one lot. In response to a question by

Member McCormick, as to the alternative, Member Schmidt responded that it should be assessed separately. Chairman Fox noted that it was assessed separately based on its contributory value to the adjoining lot and the Appraiser testified that the fence and landscaping seemed to encompass both parcels. Member Schmidt noted that it was natural landscaping. Chairman Fox stated that, as he understood it, when driving down the street, this looked like one parcel, which the Appraiser confirmed.

The Petitioner was not present, but had submitted a letter, Exhibit A, which questioned the assessment based on "Stream Environmental Zone / Floodplain Issues" and rate of the appraisal increases.

Appraiser Warren responded to the Petitioner's allegation that they received no information, stating that the information was sent out on December 31, 2003.

Member McCormick noted there were two photographs in her packet, and Appraiser Warren clarified they were of the adjoining parcel showing the stream.

Appraiser Warren then detailed what information was sent to the property owner. Chairman Fox asked what the significance of the document was and who got it. Appraiser Warren replied that a number of taxpayers, including this one, have stated that they had asked for the appraisal record, and their interpretation was that it was more than what the Assessor was providing them. Appraiser Warren stated that the Assessor's Office had provided the information that was part of the public record, and that the presentations they prepare in anticipation of the appeals were in a different document.

Member Schmidt asked questions as to when their presentation was completed, and Appraiser Warren replied that it was Monday night. Member Schmidt asked if the Appraiser realized it was a public record, and Appraiser Warren responded that he was. Member Schmidt asked if Appraiser Warren was familiar with a resolution of Washoe County, approved on March 25, 2003, entitled, "A Resolution Adopting Public Records Policies and Procedures for Washoe County." Appraiser Warren replied that he was not familiar with that. Member Schmidt advised Appraiser Warren that he should make himself familiar with it. Chief Appraiser Steve Churchfield stated that their office is familiar with the policy.

Member Obester noted the combined land value of the two parcels is \$6,719,000 and asked the Appraiser if he treated it as 150 feet of lakefront and then gave it a discount for being in excess of the base number of 100 feet. Appraiser Warren stated that was correct.

Member Schmidt asked, if these parcels had separate ownership, what the land value of each would be. Appraiser Warren replied that on parcel -24, the land value would be \$6,097,952. Member Schmidt asked how it went up from \$4,600,000, and Appraiser Warren responded that what he had done was deduct the pier premium first.

Member Schmidt asked what the land value, on the unbuildable lot, would be if it sat alone, and Member Obester stated that he was not sure that was germane to their discussion. Member Obester noted that it was treated as if it were one over-sized lot. Member Schmidt replied that he did not feel there had been substantial evidence presented to support valuing it that way. Member Obester stated that it was 150 feet of frontage, and noted that the front foot price had been discounted. Member McCormick noted that no one else had access to the property, and it appears to be part of the yard. Member Schmidt stated that there had been no testimony to that effect, and the other Board Members suggested that there had been. Chairman Fox stated that the Board had to look at it the way it was valued and either agree with the way it was presented to them or disagree with it. He added that what-if questions were not productive.

The Chairman closed the hearing.

Member Schmidt asked that the record clearly state that the Assessor was not permitted to answer his question.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-181-38 be upheld.

**04-482E HEARING NO. LT-946 – J. ROBERT & CAROLE K. ANDERSON -
PARCEL NO. 122-181-29**

A petition for Review of Assessed Valuation received from J. Robert and Carole K. Anderson, protesting the taxable valuation on land and improvements located at 881 Lakeshore Boulevard., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Member McCormick noted that she was acquainted with the Andersons, and she gave assurance that it would have no effect on her decisions.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 8, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XX.

The Petitioner was not present, but had submitted a letter, Exhibit A, questioning the evaluation methods and the lot size, which was reviewed by the Board.

Board Members Sparks, Obester and Schmidt asked several detailed questions about the comparable sales, which Appraiser Warren answered.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-181-29 be upheld.

04-483E HEARING NO. LT-425 – RITA BUSICK
PARCEL NO. 130-230-05

A petition for Review of Assessed Valuation received from Rita Busick, protesting the taxable valuation on land and improvements located at 1019 Lakeshore Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDR and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XX.

The Petitioner was not present, but had submitted a letter, Exhibit A, questioning the comparable properties and methods of assessment, which the Board reviewed.

Member Sparks asked if any illegal condominium land valuations were used in valuing this property; and Appraiser Warren stated that he did not, to his knowledge.

The Chairman closed the hearing.

Member Schmidt commented that there were general allegations about improper use of teardowns and time adjustments; and, although he had concerns, he noted the petition was not accompanied by any evidence to substantiate the allegations.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-230-05 be upheld.

04-484E HEARING NO. LT-438 – SAMUEL G. LEFTWICH, TR.
PARCEL NO. 130-241-16

A petition for Review of Assessed Valuation received from Samuel G. Leftwich, Tr., protesting the taxable valuation on land and improvements located at 1565 Vivian Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXIV.

The Petitioner was not present, but had submitted a letter, Exhibit A, questioning the view designation on the property and the methods of assessment, which the Board reviewed.

Member Sparks asked if there was a view consideration on the subject parcel. Appraiser Warren responded there was not.

Member Sparks asked if there have been constant legal proceedings among some of the neighbors. Appraiser Warren replied that there had been considerable legal wrangling going on in the neighborhood concerning the CC&R's of the subdivision.

Chairman Fox asked if this property participated in any common beach areas, and Appraiser Warren noted that Vivian Lane had a common area beach.

Member Obester asked if they had access to the beach directly from their property, and Appraiser Warren answered that they could walk down the street to the beach.

Member Schmidt asked if Appraiser Warren had any evidence that the legal battles in this particular neighborhood had affected full cash values or property values. Appraiser Warren responded that he did not; that there have been recent sales in the area; and that, as far as he could determine, the sales prices per square foot did not seem to be at a lower level than in other neighborhoods for similar properties.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-241-16 be upheld.

04-485E HEARING NO. LT-440 – LARRY D. & MARYANNE B. INGEMANSON, TR. - PARCEL NO. 130-241-21

A petition for Review of Assessed Valuation received from Larry D. and Maryanne B. Ingemanson, Tr., protesting the taxable valuation on land and improvements located at 1165 Vivian Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XX.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Member Obester asked why the base lot value was discounted. Appraiser Warren advised discounts were given because of the inconvenience of having an easement or pathway to the common area beach in very close proximity to the house on the subject parcel and for the area-wide lakefront.

Member Sparks asked if there were illegal condominium land evaluations used for this property, and Appraiser Warren stated that there were not. Member Sparks then asked if any illegal or unapproved methodologies had been used to value the subject. Appraiser Warren responded not that he was aware of.

Chairman Fox noted that the letter made reference to the illegal taxation of property located at 1165 Vivian Lane, and asked legal counsel if he was aware of any illegalities about taxing the property. Deputy District Attorney David Watts-Vial stated that, to his knowledge, nothing had been declared illegal; and that he was assuming that Ms. Ingemanson was raising the same arguments that were raised last year; that those had been brought to this Board and to the State Board of Equalization; and the Assessor's methodologies were upheld. He noted that there was also a court case that was pending, but that to his knowledge, there was no decision on that yet.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-241-21 be upheld.

Later in the meeting, the Clerk advised another letter had been received from the Petitioner. Legal Counsel Watts-Vial stated it was up to the Board whether to re-open the hearing. Chairman Fox ruled that the Board would revisit this hearing at the conclusion of the other hearings with letters.

Later in the meeting, Chairman Fox asked for a motion to reopen this hearing due to the receipt of an additional letter, Exhibit B, which letter made reference to exhibits that were not received with the letter.

Member Sparks moved to reopen the hearing, and Member Schmidt seconded the motion. Upon call for the vote, the motion carried with Members McCormick and Obester voting "no," and it was ordered that the hearing be reopened.

Appraiser Warren reminded the Board that the address of the subject parcel was 1165 Vivian Lane and oriented the Board to the location of the subject property. He stated that, again, he would submit the matter on his presentation and Exhibits I, II, III and XX.

The Board, at Chairman Fox's suggestion, reviewed the letter that was just received.

Member Sparks commented that this letter was incomplete and could not be properly evaluated. He said the letter references exhibits, which were not attached.

Legal Counsel Watts-Vial commented that the letter did need to be considered and that the Board members could give it whatever weight they felt was appropriate. Member Sparks stated that without the exhibits he didn't see how he could properly evaluate the letter.

Legal Counsel Watts-Vial stated Ms. Ingemanson indicated that she was trying to attend and could not because there was a blizzard over Mt. Rose. He noted that there was no question that the weather up there today has been very bad; and he stated that it appeared Ms. Ingemanson had done her best to show up at as many of the hearings as possible.

Legal Counsel Watts-Vial continued and stated that, with regard to the exhibits the Petitioner referred to, if the Board could not tell which exhibit it was she was talking about, or if they were not apparent in some packet that the Assessor had put together, it may not be possible for the Board to review evidence that was not before it. He further noted that if it was something that someone remembered she said in the past, or that she had shown, or if it was possible to discern what the exhibits were, the Board could accord them whatever weight was appropriate.

Member Sparks commented this Petitioner was before the Board the previous night, and there was an appraisal prepared by a Steven Johnson on that property, but that appraisal had gotten lost; and now she was quoting lines from some document that had upwards of 295 pages. He said he did not have any idea what data was used to make these comments and he could not properly evaluate the letter without having the documents referenced in the letter. He stated he understood the Petitioner was trying to get to the meeting, but without the documents, he cannot give her letter any meaning.

Chairman Fox stated that the burden of proof was on the Petitioner to show by clear and sufficient evidence that the Assessor's valuation was wrong. He stated that he, personally, would act on the information that he had before him. He said he found the letter neither sufficient nor clear enough for him to find in favor of the Petitioner, but the Board must act on the information they have.

Member Schmidt made a comment directed to the returning Board members, referring to paragraph 7 on page 1, and stated that it appeared to imply that there was a reduction on this property last year and that this year the Assessor had negated the reduction by this Board or the State Board.

Chairman Fox commented that the letter was not clear to anyone and asked the Appraiser if he had anything to present in defense of his values. Appraiser Warren stated that he would submit on the record Exhibits I, II, III and XX, as previously stated, to substantiate the value on this property.

Member Schmidt asked the Appraiser to respond to his inquiry and noted that on page 4 of Exhibit III, under "Notes," it says Roll Year 2003, County Board of Equalization, 235, reduced \$5,923,000 to \$5,380,700. Member Schmidt noted that that was the taxable value still assigned this year, so it appeared if there was a reduction last year, that it had not been negated by the Assessor's Office. Appraiser Warren confirmed that the Assessor had not changed the value from the reduction from last year.

The Chairman closed the hearing, and he commented that he realized how difficult it was to make a decision when there was incomplete information. He noted to the Board that they have the information that they have, and that both the taxpayer and the Assessor have access to appeal if either of them was not happy with the decision of this Board.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidence by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Sparks, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-241-21 be upheld.

04-486E HEARING NO. LT-460 – ROBERT A. & VIRGINIA A. CHRISTOPHER - PARCEL NO. 130-242-12

A petition for Review of Assessed Valuation received from Robert A. and Virginia A. Christopher, protesting the taxable valuation on land and improvements located at 1710 Pine Cone Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor is recommending the land value of the subject parcel be reduced from \$880,000 to \$750,000 because recent improved sales in the neighborhood indicate land values of the smaller interior lots in Pine Cone Circle need to be lowered and have fewer size adjustments. Member Sparks asked if there was a view classification placed on the property, and Appraiser Warren responded that there was not.

The Petitioner was not present, but had submitted a letter, Exhibit A, which requested a postponement of the hearing and said that they felt that the assessment was too high. The Board reviewed Exhibit A.

The Chairman closed the hearing.

Chairman Fox noted that in the letter, which was received today, the Petitioners were asking for a postponement. He commented that it was a late date to ask for a postponement, the day of the hearing, and that the Assessor had indicated to the Board several times that there simply were no more openings on the calendar.

Appraiser Warren asked if the hearing could be reopened in order to submit the appropriate exhibits.

The Chairman reopened the hearing.

Appraiser Warren stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXIV.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors, small lot size, were not given enough weight by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land on Parcel No. 130-242-12 be reduced to \$750,000 and that the taxable value of the improvements be upheld for a total taxable value of \$969,023. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**04-487E HEARING NO. LT-491 – ADOLPH M. & ERNESTINE A. STARR,
TR. - PARCEL NO. 130-242-06**

A petition for Review of Assessed Valuation received from Adolph M. and Ernestine A. Starr, Tr., protesting the taxable valuation on land and improvements located at 1580 Pine Cone Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXIV. The Appraiser advised the Assessor is recommending a reduction in the subject's land value as a result of a re-evaluation of recent land sales in the neighborhood.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed.

Member Sparks asked if the lot did back up to SEZ and if that was being taken into account. Appraiser Warren stated he did a site inspection of the property and concluded that the SEZ did not substantially impact the value of the property.

In response to Chairman Fox's question, Appraiser Warren stated that his reason for the reduction was because of the location on Pine Cone Circle and because of the current improved sales.

Member Sparks asked if there were any valuation methods employed that were contrary to the regulations of the Tax Commission, and Appraiser Warren stated that there were not.

The Chairman closed the hearing.

Member McCormick expressed serious concerns with the improvements being grossly undervalued at \$25,780, regardless of how old it was, since she had seen many other properties in the area at exactly the same amount.

Member Obester noted that he would abstain from voting because the Petitioner was his neighbor.

Based on the FINDINGS that adverse factors were not considered by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester abstaining and Member McCormick voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 130-242-06 be reduced to \$750,000 and that the taxable value of the improvements be upheld for a total taxable value of \$775,780. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-488E HEARING NO. LT-922 – ANDREW R. & JEANE W. EDWARDS
PARCEL NO. 130-241-20

A petition for Review of Assessed Valuation received from Andrew R. and Jeane W. Edwards, protesting the taxable valuation on land and improvements located at 1155 Vivian Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XX.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed.

Member Sparks asked if there was a heating oil tank on the property. Appraiser Warren stated he understood they were in the process of having it removed, and he had no knowledge about contamination. Member Sparks further commented about the litigation over the CC&R's and asked whether that had an influence on value. Appraiser Warren responded there are no market indications of that yet.

In response to a further question by Member Sparks, Appraiser Warren stated that he had properly taken into account the taxable value of \$68,000 on the structure even though it was 45 years old.

In answer to Member Schmidt's question, Appraiser Warren stated that the property was being utilized.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-241-20 be upheld.

04-489E HEARING NO. LT-932 – JAMES A. & KAREN S. ELLIS
PARCEL NO. 130-241-35

A petition for Review of Assessed Valuation received from James A. and Karen S. Ellis, protesting the taxable valuation on land and improvements located at 1595 Pine Cone Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 020-HDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXIV. Appraiser Warren further stated the Assessor is recommending a reduction on the subject's land value based on an analysis of recent sales indicating a lower land value for these properties in this neighborhood.

The Petitioner was not present, but had submitted a letter, Exhibit A, which questioned the assessment methods. The Board reviewed Exhibit A.

In response to a question by Member Sparks, Appraiser Warren indicated that he had not talked with the Petitioner.

The Chairman closed the hearing.

Member Schmidt stated he was confused by the recommendation because the other parcels were at \$800,000 going down to \$750,000 and asked if there was another reduction. He noted that the subject is a smaller sized lot.

Appraiser Warren explained there were more size gradients in this neighborhood, and that the analysis reduced the number size classifications. The parcels presented earlier were falling into a group with parcels in size from .3 to .5 acres. He stated that this parcel would be valued, as well as the others, at \$750,000 under the revised analysis.

Member Schmidt noted that they originally gave a size reduction of 5 percent, which would be \$40,000, and now it was getting a blanket \$50,000. Appraiser Warren explained that it was originally \$760,000, and to bring it into equalization with the other properties it got a slight reduction to \$750,000, which was the land value established for this size property in Pine Cone Circle.

Based on the FINDINGS that adverse factors were not given enough weight by the Assessor, on motion by Member Schmidt, seconded by Member McCormick, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 130-241-35 be reduced to \$750,000 and that the taxable value of the improvements be upheld for a total taxable value of \$841,137. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-490E HEARING NO. LT-1028 – ANDREW D. PERLMAN-WHYMAN, ET AL - PARCEL NO. 130-241-48

A petition for Review of Assessed Valuation received from Andrew D. Whyman and Barbara Perlman-Whyman, et al, protesting the taxable valuation on land and improvements located at 1140 Vivian Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned HDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXIV.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed.

Member Sparks commented that the Petitioner states in the letter that the former owner purchased the subject in February 2000 for \$2,980,000 and that she purchased it in September 2002 for \$3,250,000. He pointed out that the Assessor's current taxable value is \$ 2,005,033.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Schmidt, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-241-48 be upheld.

04-491E HEARING NO. LT-84 – NICHOLAS L. SPRINKEL, TR., ET AL.
PARCEL NO. 123-032-14

A petition for Review of Assessed Valuation received from Nicholas L. Sprinkel, Tr., et al., protesting the taxable valuation on land and improvements located at 22 Somers Loop, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033-LDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XI.

The Petitioner was not present, but had submitted a letter, Exhibit A, questioning the assessment methods, which the Board reviewed.

Member Sparks read portions of the Petitioner's letter and asked the Appraiser to respond. Appraiser Warren stated the Assessor has not used any improper methods to value property and that he was not aware of any adverse factors that affect the subject property.

Member Obester asked if the values were based on a front foot, and Appraiser Warren replied that it was a site basis.

In response to a question by Member McCormick, Appraiser Warren confirmed that the property changed hands on April 14, 2000 for \$2.5-million dollars. Member McCormick asked about \$400,000 additional improvements having been made in 2003, and Appraiser Warren stated that he believed it was transferring 15 percent interest in the property.

Member Schmidt asked if the 2.9 was a time adjustment, which Appraiser Warren confirmed.

The Chairman closed the hearing.

Member McCormick mentioned that the letter asked that the Assessor be directed to establish new appraisal methods, and that the Petitioner wanted to be awarded a refund for taxes. She stated both of those requests were beyond the purview of the Board.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-032-14 be upheld.

04-492E HEARING NO. LT-659 – JOHN VENNARD, TR.
PARCEL NO. 123-041-22

A petition for Review of Assessed Valuation received from John Vennard, Tr., protesting the taxable valuation on land and improvements located at 32 Crystal Drive, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 033-LDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XI.

The Petitioner was not present, but had submitted a letter, Exhibit A, questioning the rate of assessment increases, which the Board reviewed.

In response to Member Sparks' question concerning whether requested information was provided to the taxpayer timely, Chief Appraiser Churchfield stated that the request was made on December 29th and the information was sent on December 31, 2003.

Member Obester asked if the base lot value of \$3,000,000 was adjusted upward 30 percent for size. Appraiser Warren confirmed that it was and directed the Board's attention the parcel map on page 3 of the exhibit, noting that parcel 22 was a double lot and indicated that there was a size premium of 30 percent added to the base value.

The Chairman closed the hearing.

Member Schmidt noted that if it was dividable, and buildable, and there was not a structure on both lots, a 30 percent premium would not be adequate for the second lot. He stated since he had been able to get that information, he would abstain. He stated that a double lot should have been more than a 30 percent increase. Chairman Fox

noted that the Board could not increase the value when the Petitioner had asked for a decrease.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-041-22 be upheld.

04-493E HEARING NO. LT-874 – DALE W. & MARGARET E. DENIO
PARCEL NO. 123-250-01

A petition for Review of Assessed Valuation received from Dale W. and Margaret E. Denio, protesting the taxable valuation on land and improvements located at State Route 28, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-GR and designated vacant single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Chairman Fox asked if there was any documentation from the property owners showing that they had been refused permits from TRPA on this property, and Appraiser Warren stated that he had requested that information and had not received it.

The Chairman closed the hearing.

Member McCormick commented that it appeared on Exhibit III that the property changed hands in 2002, for \$1,650,000.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-250-01 be upheld.

04-494E HEARING NO. LT-875 – DALE W. DENIO, TR.
PARCEL NO. 123-250-02

A petition for Review of Assessed Valuation received from Dale Denio, Tr., protesting the taxable valuation on land and improvements located at 449 Lakeshore Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDS and designated single-family residence.

Chairman Fox noted that the Petitioner was the same as on the previous hearing and asked if this was an adjoining property, which Appraiser Warren confirmed.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 12, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XI.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Member Schmidt asked, since this property had common ownership with the property immediately adjacent to it, why the two parcels were not assessed as one functional unit. Appraiser Warren responded that parcel 2 had an IPES score, which would allow it to be developed as an individual parcel; and that the adjoining parcel, based on the evidence so far, was a separate parcel that did have an IPES score that allowed it to be developed separately. In response to Member Schmidt's question, Appraiser Warren stated that it did appear to be used as one parcel to the extent there was common landscaping through 2, 3, and 4.

Member Obester asked what kinds of improvements were actually on these three parcels, and Appraiser Warren stated that parcel 2 had a lawn area, parcel 3 contained a house and a pier, and parcel 4 contained some landscaping and site improvements.

Member Schmidt noted that in this particular case there were more structures indicating it was used as one estate, one functional parcel, but the Assessor had elected not to assess it together. Appraiser Warren replied that he subjects are a very unique property. He directed the Board's attention to the parcel map on page 3 noting the property was away from Gonowabie, that it fronted on State Route 28 with a lot of traffic, and it was a very steep corner lot. He further stated that the property was purchased in 1995, and that he had used a time adjustment and allocated the value to the three parcels because they were purchased together.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member McCormick, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-250-02 be upheld.

A petition for Review of Assessed Valuation received from Dale Denio, protesting the taxable valuation on land and improvements located at 451 Lakeshore Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 12, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XI. Appraiser Warren noted that the Petitioner had objected to the pier premium, and had indicated that there was not a pier permit. Appraiser Warren noted that even though research with the Nevada Lands office indicated that there was not a pier permit, there was, in fact, a pier, which could be seen on page 12 of Exhibit III.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

The Chairman closed the hearing.

Member Schmidt commented that the Petitioner was being assessed a half a million dollars for a pier permit and he didn't have one, and he noted that he had a pier that was trespassing. Chairman Fox indicated that although the Petitioner stated he did not have one, that there was a photograph of the pier. Member Schmidt questioned the Appraiser regarding the permit.

Appraiser Warren indicated that in checking with the Nevada Lands Office, there was no permit for the pier that they have put in. Member McCormick asked if the Petitioner had put it in. Legal Counsel Watts-Vial asked if it was being suggested that the Petitioner violated the law. Chairman Fox responded that was a matter that attorneys should answer. Member Schmidt noted that the evidence on the record would indicate it was a trespass and was not a legally permitted pier that could be removed at any time. He further noted that it was not even on the property, that it was on State property, so they could not be taxed on it.

Chairman Fox stated that, after seeing the photograph that the pier is there, he was going to give it a value. He further commented that if it were torn down, then he would consider taking that value off.

Member Schmidt offered that taxing the Petitioner on it may give him rights to it. Legal Counsel Watts-Vial stated that he did not know whether that was the case or not, but if the pier was not legal, someone could come in and take it down. He further advised that, for the moment, it was attached to his land; and he noted that the Petitioner appeared to have built it, appeared to have access to it, appeared to use it, and all the indications appear that it was, in fact, his property. He stated that at this time it

seemed appropriate that he be taxed for it and noted that if someone tried to take that pier from him there would be a battle for it.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-250-03 be upheld.

04-496E HEARING NO. LT-877 – DALE W. DENIO, TR.
PARCEL NO. 123-250-04

A petition for Review of Assessed Valuation received from Dale Denio, Tr., protesting the taxable valuation on land and improvements located at 453 Lakeshore Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDs and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 12, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XI.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Sparks, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-250-04 be upheld.

04-497E HEARING NO. LT-213 – DAVID & LINDA SHAHEEN
PARCEL NO. 123-101-08

A petition for Review of Assessed Valuation received from David and Linda Shaheen, protesting the taxable valuation on land and improvements located at 580 Gonowabie Road, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XI.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

In response to Member Sparks, Chief Appraiser Steve Churchfield stated that information was requested on January 7, 2004, and the 54-page packet was mailed to the Petitioner on January 9, 2004. Member Sparks noted also that the Petitioner claimed not being given adequate notice for the hearing, and Legal Counsel commented that it appeared to be adequate. Member Sparks also noted that the Petitioner asserted that the Assessor used improper methods to value the property, and Appraiser Warren responded that he felt he had used proper appraisal methodology in valuing this property.

Member Sparks noted that the Petitioner had requested to incorporate, by reference, into the record all of the facts and testimony presented in the appeals of Incline Village 2003-04 and 2004-05. Member Sparks stated it was the policy of the Board that only the testimony and facts entered on the hearing of LT-213 on the 9:00 a.m. Block for February the 18th would be included in this record.

Member Obester asked what discount was given on the subject property. Appraiser Warren stated the land value of the subject was discounted for proximity to the highway and shape. He noted that although the map shows that Gonowabie Road dead-ends four parcels south of the subject property, it did extend up to the subject parcel, and the subject parcel almost fronts on State Route 28. He indicated that the discount was for that factor.

In response to Member McCormick's question, Appraiser Warren confirmed that the property sold in June of 2000 for \$2.7-million dollars.

Chairman Fox asked if there was public access to this property. Appraiser Warren confirmed that there was, that there were no gates, and that State Route 28 clipped it at the end.

Member Schmidt noted that it is possible to come off State Route 28 and get on the road adjacent to the subject property, and Appraiser Warren clarified that you would have to go down to the other end and go all the way through the subdivision to get to this parcel, because Gonowabie is a one-way road, but that it exits onto 28.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 123-101-08 be upheld.

A petition for Review of Assessed Valuation received from Malvern H.L. and Frances H. Jester, Tr., protesting the taxable valuation on land and improvements located at 275 North Lake Court, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned 034-MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He further stated that parcel 123-161-13 was a vacant parcel that was unbuildable, that it was acquired by the State of Nevada, and had been stripped of development rights, and then was sold back to the individual property owners of the adjoining parcels.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Warren reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and stated the Assessor would stand on their written presentation and Exhibits I, II, III and XI.

In response to a question by Chairman Fox regarding parcel -13, Appraiser Warren stated that the Petitioner had sole ownership of that parcel.

Member Obester asked why the lot was unbuildable. Appraiser Warren explained that it was part of an acquisition in the Crystal Bay area by the State. They bought it, stripped it of any development rights and any coverage, and sold it back to the owners just so the people could have additional land area for their parcel.

In response to a question by Member Schmidt, Appraiser Warren noted that the sales price was \$16,000 in December of 1991.

Member Obester asked if that coverage was reserved for someone else to purchase. Appraiser Warren responded that he did not know what the Division of Lands had done, and he thought they used part of the funds to acquire other environmentally sensitive parcels.

In response to Member Schmidt's question about the use of the non-developed parcel, Appraiser Warren stated that there was nothing the property owners could do with it; that they could not even put in a patio, a driveway, or a picnic table on it. It was just basically a land area that they have under their ownership.

Member Schmidt asked if -13 is just used as additional land adjacent to -12, why they are not assessed as one parcel. Appraiser Warren replied that this parcel is unbuildable, and that they were pretty much basing the value on its sales price.

Member Schmidt noted that there was a similar situation with an undevelopable parcel that was adjacent to a developed parcel, as indicated, based on the fact that it was undevelopable, and they had assessed them as one parcel.

Member Obester noted that it was not quite the same, because this one has been legally stripped of its rights. Member Schmidt said that, by law, neither of the parcels had rights. Appraiser Warren responded that the other parcel in the other hearing still had coverage and there was an IPES score on that parcel.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member McCormick, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcels Nos. 123-161-12 and 123-161-13 be upheld.

3:30 p.m. Member Sparks left the meeting.

04-499E **HEARING NO. LT-441 – V PARK LLC**
PARCEL NO. 130-241-23

A petition for Review of Assessed Valuation received from Maryanne Ingemanson, protesting the taxable valuation on land and improvements located at 1170 Vivian Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated minor improvements.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXIV. In response to a comment in the Petitioner's letter, Appraiser Warren explained how the subject's value was calculated.

Chairman Fox confirmed that all Board Members had read the letter.

Chairman Fox noted that the Petitioner did not apply the mathematics in the same order as the Assessor did, and Appraiser Warren stated that he did it in one step and the Petitioner did it in two. Chairman Fox asked if it would result in a different answer, and Appraiser Warren confirmed that it would.

Member Obester noted that the Petitioner contended that her property was within the purview of the TRPA Shorezone Scenic Review System. Appraiser Warren confirmed that any parcel within 300 feet of the lake would be subject to review.

Chairman Fox commented that the Petitioner's conclusion is that that would reduce the value, but he believes that remains to be seen by market evidence.

The Chairman closed the hearing.

The Board members deliberated at length concerning the claims by the Petitioner in the letter.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Chairman Fox, which motion duly carried with Member Schmidt voting "no," and Member Sparks absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-241-23 be upheld.

04-500E HEARING NO.LT-442 – KATHY A. NELSON, TR.
PARCEL NO. 130-241-24

A petition for Review of Assessed Valuation received from Kathy Nelson, protesting the taxable valuation on land and improvements located at 1590 Vivian Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated single-family residence.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Member McCormick asked why the Board was considering a letter signed by Ingemanson when the property owner was someone named Nelson.

Legal Counsel Watts-Vial advised that the Nevada Revised Statutes require written authorization provided for someone else to represent a taxpayer. He noted that the Board's practice had been to allow someone who had shown up on behalf of the taxpayer and had some air of authority about them to go ahead and represent a taxpayer. He noted that it was probably up to the Board in this case, and he commented that the issue he saw was that she was referencing the appropriate property numbers, and it looked like Ms. Ingemanson did represent Ms. Nelson, although there was nothing before the Board.

Chairman Fox stated that this Board had allowed someone to represent a taxpayer if they were an attorney in fact, or if they were an agent, or an employee; but that otherwise they do require written authorization. He further noted that the Incline Village people are very upset and feel that they have been mistreated. Chairman Fox

stated the Board would proceed under the assumption that Ms. Ingemanson had a right to represent Ms. Nelson; and if it turns out that she didn't, that would be between her and the taxpayer to resolve.

He then ruled, as Chairman of the Board, that they would go ahead with the hearing, and that each Board member would give whatever weight they saw fit to the two letters, and that he would read them. He said that he did not know what Exhibits A, B, or C, referenced by the Petitioner, were.

Member Obester commented that Ms. Ingemanson needed to show her work, at which point Chairman Fox asked that he and the Board be allowed to read the letters to themselves without interruption.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXIV.

Appraiser Warren questioned the last sentence of the letter by the Petitioner that said she was requesting the Board reduce the currently assessed taxable value of the land on subject property to \$2,516,195. He stated the current taxable value was \$779,000.

Members Obester and McCormick noted that there might be a mix-up in the page 3 that was attached to the letter, and it might have belonged to the previous letter. Chairman Fox stated that this was the way the information was presented to the Board; and, he was sure she did not want to see an increase in any value at Incline Village, and he would disregard that.

The Chairman closed the hearing.

Chairman Fox commented that the Petitioner was referring to values that were put on before and was somehow trying to bring those forward to arrive at a new value. He noted that there was no presumption that any value placed on a property before was correct, so any attempt to bring that value forward into a new indication of value was not something that he would be willing to accept.

Member Obester commented that he appreciated Chairman Fox's reasoning, but he noted that he believed the Assessor had done exactly that. He pointed out the Assessor's reappraisal value of \$779,000, and stated that value appeared to have been carried forward to the next taxable year.

Chairman Fox stated that sometimes previous values could be the same as the current value, but they were not derived by any manipulation of the previous value. They were derived by applying a factor to the land value. Chairman Fox noted that the factor in this instance was "1," and noted that when a factor of 1 is applied, the answer is

the same as before, but that does not mean that you are relying on the answer you had before. He stated that it meant that you have made a new investigation, a new analysis and have come up with a factor. He commented that if the factors were different, the answer would change. He reiterated that this year's value was not dependent on any other year's value, that every year the Assessor puts a new value on every property, and he notifies every taxpayer of that value every year.

Member McCormick commented that it was incorrect for the Petitioner to suggest the legislature intended there to be limitations on increases that could ever occur in the future, simply because someone testified back in 1981, or whenever they had the legislative hearing, and gave an example of possible ranges of increases that might occur.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Obester, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 130-241-24 be upheld.

04-501E HEARING NO. LT-459 – L. WAYNE & THERESA BATMALE
PARCEL NO. 130-242-09

A petition for Review of Assessed Valuation received from L. Wayne and Theresa Batmale, protesting the taxable valuation on land and improvements located at 1550 Pine Cone Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-HDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. He noted that the Assessor is recommending a reduction in the subject's land value to bring the property into equalization with the other recommendations made previously on parcels on Pine Cone Circle. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXIV.

The Petitioner was not present, and presented no testimony or evidence.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors were not given enough weight by the Assessor, on motion by Member Obester, seconded by Member McCormick, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of the land on Assessor's Parcel No. 130-242-09 be reduced to \$750,000 and that the taxable value of the improvements be upheld for a total taxable value of \$823,809. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-502E HEARING NO. LT-483 – JEFFREY A. & CARLA A. COLE, TR.
PARCEL NO. 130-242-10

A petition for Review of Assessed Valuation received from Jeffrey A. and Carla A. Cole, Tr., protesting the taxable valuation on land and improvements located at 1127 Lakeshore Boulevard, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 049-MDS and designated single.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 8, and oriented the Board as to the location of subject property. He stated the Assessor is recommending the subject's land value be reduced to bring the property into equalization with the other recommendations made previously. He stated the Assessor would stand on their written presentation and Exhibits I, II, III and XXIV.

The Petitioner was not present, but had submitted a fax, Exhibit A, to request a review of the assessment, which was reviewed by the Board.

The Chairman closed the hearing.

Upon request by the Assessor, Chairman Fox reopened the hearing. Appraiser Warren stated the numbers were transposed on Exhibit III, page 1, where the recommendation was listed. He advised the correct numbers are that the land value should be \$750,000 and the improvements should be \$574,928 for a total taxable value, of \$1,324,928.

The Chairman again closed the hearing.

Based on the FINDINGS that adverse factors were not given enough weight by the Assessor, on motion by Member Obester, seconded by Member McCormick, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of the land on Assessor's Parcel No. 130-242-10 be reduced to \$750,000 and that the taxable value of the improvements be upheld for a total taxable value of \$1,324,928. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-503E HEARING NO. LT-1203 – JOHN FINNEY
PARCEL NO. 130-331-06

A petition for Review of Assessed Valuation received from John Finney, protesting the taxable valuation on land and improvements located at 1711 State Route 28, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 055-MDS and designated 020 single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. He advised that the Assessor is recommending a reduction on the subject because the property no longer has a pier and research with the Nevada Lands Office indicates no record of a pier right for subject property. He stated the Assessor would stand on their written presentation and Exhibits I, II, III, XI and XX.

Chairman Fox clarified that there is no pier and there is no right to have a pier, which Appraiser Warren confirmed.

The Chairman closed the hearing.

Member McCormick made a motion with regard to LT-1203, based on the valued correctly, and the total taxable value does not exceed full cash value. Member Obester seconded the motion.

Based on the FINDINGS that adverse factors were not given enough weight by the Assessor, on motion by Member McCormick, seconded by Member Obester, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land on Assessor's Parcel No. 130-331-06 be reduced to \$852,600 and that the taxable value of the improvements be upheld for a total taxable value of \$918,533. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-504E HEARING NO. LT-660A – CRISTINA VAN DYCK
PARCEL NO. 123-101-15

A petition for Review of Assessed Valuation received from Christina Van Dyck, protesting the taxable valuation on land and improvements located at 446 State Route 28, Crystal Bay, Washoe County, Nevada, was set for consideration at this time. The property is zoned MDS and designated single-family residence.

Gary Warren, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property. He stated the Assessor is recommending a reduction on the subject property's improvement value because the pier was destroyed by a storm in December 2002. The Appraiser advised that a physical inspection of the subject was performed to confirm the information. He said the recommendation is to remove the value of the depreciated pier from the improvement value and some other adjustments on the house. He further advised that the property owner is in the process of obtaining approval to rebuild the pier. Appraiser Warren stated the Assessor would stand on their written presentation and Exhibits I, II, III and XI.

The Petitioner was not present, and presented no testimony or evidence.

Chairman Fox noted there would be no reduction in the land value as the property would still have the right to have a pier.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors were not given enough weight by the Assessor, on motion by Member McCormick, seconded by Member Obester, which motion duly carried with Member Sparks absent, it was ordered that the taxable value of land on Assessor's Parcel No. 123-101-15 be upheld at \$2,225,000 and that the taxable value of the improvements be reduced to \$182,211, for a total taxable value of \$2,407,211. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-505E HEARING NOS. LT-933, LT-33, -37, -1289, -39A, -39B, -40, -42, -947, -952, -1287, -761, -770A, -1201, -1202, -658, -661, -665, -666, -669, -83

Petitions for Review of Assessed Valuation received from the following property owners, protesting the Assessor's taxable values of the land and improvements, was set for consideration at this time. The properties are located in Incline Village/Crystal Bay, Nevada.

Chairman Fox noted there are no more petitioners present for the remaining hearings, and that the Board had no other letters or information on the remaining petitions. He asked the Board Members if anyone finds any reason why the remaining properties are not similar enough to be consolidated and heard together.

Member McCormick commented that the Petitions appeared to all be on the standard petition form. She stated that she would not be able to vote on LT-952 as there was a potential that someone might think she had a conflict of interest. Based on the facts that all the remaining petitions are sufficiently similar in issue to be grouped together, no one is present representing the property owners, and the Board has received no information other than the petitions, Member McCormick moved that the remaining hearings be consolidated. Member Schmidt seconded the motion; and, upon call for the vote, the motion carried unanimously with Member Sparks absent.

The Clerk of the Board then called each of the above-referenced hearings by hearing number, property owner's name and parcel number.

Chairman Fox asked the Assessor if they had any additional information to present and if they could do a consolidated presentation.

Gary Warren, Appraiser, duly sworn, and stated the Assessor would stand on their written presentation submitted and contained in Exhibits I, II, III, XI, XX, XXII and XXIV, as they apply to the individual parcels.

5:30 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 19, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy
Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

THURSDAY

9:00 A.M.

FEBRUARY 19, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member
Gary Schmidt, Member
Steven Sparks, Member

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
Peter Simeoni, Deputy District Attorney
Ron Sauer, Senior Appraiser
Theresa Wilkins, Senior Appraiser

The Board met pursuant to a recess taken on February 18, 2004, in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the Petitioners:

Hearing No. LT-0134, Sandra G. Marx, Parcel No. 125-142-13
Hearing No. LT-0181, Bruce E. and Elizabeth P. Gordon, Tr., Parcel No. 125-482-05
Hearing No. LT-1145, Jon D. and Julia A. Ardell, Parcel No. 125-384-02

9:00 A.M. - BLOCK

DISCUSSION AND ACTION – POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board would first consider the hearings where Petitioners are present, then consider any petitions where a letter or additional information was submitted, and then any remaining hearings that assert the same or similar reason(s) for the appeal would be consolidated.

Chairman Fox outlined the process for the hearings and the order of the day. He explained the role of the Board of Equalization and the Board's limited jurisdiction. He confirmed that the Board makes no decisions regarding taxes. He

reviewed the functions of the State Board of Equalization for the people present at the hearing.

**DISCUSSION AND ACTION – REQUEST THAT ASSESSOR'S
STAFF REVIEW CONDOMINIUM VALUES AT INCLINE
VILLAGE**

Member Sparks stated, while considering condominium properties in Incline Village, the Board has learned there appears to be a low ratio of taxable value to full cash value as compared to single family residences. He suggested the Board ask the Assessor's office to conduct a study looking at the way the land underneath condominiums was valued, specifically within the Incline Village area, and generally throughout Washoe County. He explained that he did not disagree with the methodology, but he was uncomfortable with the methodology results. He said a more in-depth analysis of the data is needed.

Member Allison said the Board has consistently seen that the ratios in Incline Village were considerably less in comparison to all of Washoe County, and it has been very complicated for the Board to make decisions on those hearings when they are at 40-50 percent of value, when others were at 70-80 percent. She stated her agreement with Member Sparks.

Member Schmidt acknowledged that the allocation method that was principally used, at least upon resales in single-family dwellings, does not come up with an appropriate percentage for condominiums. He suggested the Assessor's office re-examine the allocation method and also do a study utilizing the extraction method.

Chairman Fox stated he agreed with the position that there was an indication that the condominium land values in the Incline Village area were very low relative to other areas in the County. He said that the Assessor could present alternative methodologies to the Board on this topic at the workshop that would possibly be held in the spring. He noted that the hearings of 2004 would not be affected by the outcome of the study or what was presented to the Board by the Assessor.

Member Sparks clarified that the motion should not be directing the appraisers of the Assessor's office to do anything. He said it has been his impression that the Assessor's office needed to examine their methodology of determining taxable value for the land in the condominiums in Incline Village.

Manuel Talamantes, California resident, stated he has property in Incline Village. He said the fact that a suggestion was raised to take a look at the methodology at how certain condominiums were being evaluated should move the Assessor's office to action. He explained that his property values have gone up as much 48 percent in less than four years and said he was terrified that he will not be able to afford the taxes in the future.

On motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the Washoe County Board of Equalization requests that the Assessor's office look at their methodology and ratio studies for Incline Village specifically and the Washoe County area generally, employing any methodologies they could and bring forth an analysis of the taxable value of land for condominiums within Washoe County.

04-506E HEARING NO. LT-1091 – JUDITH B. MORRISON, TR.
PARCEL NO. 122-124-21

A petition for Review of Assessed Valuation received from Judith B. Morrison, Tr., protesting the taxable valuation on land and improvements located at 572 Jackpine Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Donald R. Morrison, speaking on behalf of the Petitioner, his wife, was sworn and submitted a power of attorney, photographs and an appraisal report, Exhibit A. He disputed the methods used by the Assessor stating that the methods do not conform to Nevada law, and that Incline Village was being treated as a "cash cow" for Washoe County. He explained that no one from the Assessor's office has been to his home to appraise it. He has paid professionals to appraise his home. Mr. Morrison claimed he did not have a view and should not have a V1 rating on the property. He stated the lot was limited by Tahoe Regional Planning Agency (TRPA) to 20 percent coverage, and there was no coverage left after redesigning the deck. He said the parcel might be worth the Assessor's appraised value if the house could be larger, but there were limitations due to coverage. He also pointed out errors regarding the number of bedrooms and square footage on the Assessor's record.

In response to Chairman Fox, Mr. Morrison stated he did not have the complete information with him regarding the professional appraisals, and he did not believe he needed to disclose the value they had placed on the home. He said the home was purchased in 1997 for \$490,000.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She said she would measure the home and verify the view if contacted by the Petitioner. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In response to Chairman Fox, Appraiser Diezel confirmed that the Assessor follows the Marshall & Swift procedure for measuring and arriving at square footage.

Member Obester inquired what the value of the land would be at a V0 rating, and Appraiser Diezel said it would be \$190,000.

In response to Member Schmidt, Appraiser Diezel explained that views on properties were taken from the living room, dining room, kitchen areas and deck, if the deck was an extension of the living area.

Member Allison explained that it was up to the Petitioner to make an appointment with the Assessor to verify the view and square footage concerns.

In rebuttal, Mr. Morrison stated he would have liked Exhibit III earlier to help him prepare his case. He said the solution to make an appointment with the Assessor was satisfactory.

The Chairman closed the hearing.

Chairman Fox said the factors to consider for the subject parcel would be the appropriateness of the view classification and dimensions of the house. He added that the number of bedrooms does not affect costing of the improvement value, but the information should be correct.

Member Obester said he would support lowering the view classification based on the photographs. Chairman Fox said he would not use photographs to change the view classifications.

Member Allison commented that the photographs point out a problem, and the Assessor should go and examine the view.

Member Schmidt said he would also support lowering the view classification based on the photographs.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Members Schmidt and Obester voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-124-21 be upheld, subject to verifying the view classification and measuring the home.

04-507E HEARING NO. LT-1251 – MARY ELLEN HOUSTON
PARCEL NO. 125-141-24

A petition for Review of Assessed Valuation received from Mary Ellen Houston, protesting the taxable valuation on land and improvements located at 430 Valerie Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Member Schmidt disclosed that he knew the Petitioner, but he felt he could be fair and objective concerning the hearing. The Petitioner stated she had no objection to Member Schmidt's participation in the hearing.

Mary Ellen Houston, the Petitioner, was sworn, submitted photographs, Exhibit A, and testified that she disagreed with her view classification. She was agreeable to having the view verified by the Assessor. She explained that Valerie Court has been deemed a depository for all of the snow removal from upper Tyner Way. She said the impacts on her lot and the factors to consider for a reduction in her taxable land value would be the constant noise anytime it snows, the snow being pushed down into her lot, traffic problems from the trucks and back-hoe, the nuisance the situation causes and the settlement pool that turns into a place for dead animals and mosquitoes after the spring runoff occurs. She confirmed that the snow removal situation was a new occurrence, within the past three years, so it did not prevent the building of the \$3,000,000 homes on the street because the situation was not there when the homes were built.

In response to Member Allison, the Petitioner said she purchased the home in 1990, but did not remember the purchase price.

Member Obester inquired where the Petitioner located the petition, and she stated she downloaded it off the web page of the League to Save Lake Tahoe Assets.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In response to Member Sparks, Appraiser Diezel said that she did not know that the space was used as a snow removal area when the reappraisal was done. She confirmed that she was aware of other snow removal areas and no reductions were given in the past. She said she would be willing to examine the area in the winter and summer to see the impacts on the subject parcel. She acknowledged that the retention pond would add a different dimension to the situation.

In rebuttal, the Petitioner questioned her view, and Chairman Fox directed her to the Assessor.

In response to Member Schmidt, the Petitioner stated that the subject parcel's land value was diminished 50 percent due to it abutting a snow receptacle.

The Chairman closed the hearing.

Member Obester disputed the comparable sales used by the Assessor due to the view ratings.

Based on the FINDINGS that adverse factors (traffic noise) were not considered by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-141-24 be reduced to \$225,000 and the taxable value of the improvements be upheld, for a total taxable value of \$273,652. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-508E HEARING NO. LT-1288 – MARGARETA KARLSSON
PARCEL NO. 125-362-13

A petition for Review of Assessed Valuation received from Margareta Karlsson, protesting the taxable valuation on land and improvements located at 900 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Margareta Karlsson, the Petitioner, was sworn and testified that she has a conflict with the view classification. Chairman Fox directed the Petitioner to make an appointment with the Assessor to verify the view classification.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-362-13 be upheld, subject to verifying the view classification.

04-509E HEARING NO. LT-1130 – BRYAN HOOPES
PARCEL NO. 122-135-05

A petition for Review of Assessed Valuation received from Bryan Hoopes, protesting the taxable valuation on land and improvements located at 531

Spencer Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-135-05 be upheld.

04-510E HEARING NO. LT-1178 – CURT & MINDY WEGENER
PARCEL NO. 125-161-21

A petition for Review of Assessed Valuation received from Curt and Mindy Wegener, protesting the taxable valuation on land and improvements located at 605 Cynthia Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 030-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

Curt Wegener, the Petitioner, was sworn, submitted photographs, Exhibit A, and testified that he was questioning his view classification and he understood the process to follow to verify the view. He said the lot size also needed to be verified, as there was a discrepancy. Petitioner Wegener explained that the property had limitations because it was out of coverage. He would have liked Exhibit III earlier to prepare for his hearing. He disputed the land sales due to their location.

Member Schmidt explained to the Petitioner that Exhibit III was a supporting document of the mass appraisal that was done by the Assessor. He said that normally the document would be available at least a few days in advance, but due to the 1,600 appeals this year, the Board has not been receiving them until the day before or the day of the hearing. He stated they were made available as soon as they were completed.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She

acknowledged that, if there was an error in the size, the parcel would qualify for a 10 percent downward adjustment. Appraiser Diezel explained that a study was done of the range of sales in the area to determine if sale prices were affected by elevation, and it was found that parcels with higher selling prices were at the higher elevations. She said that was why the Assessor did not make adjustments for elevation. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In rebuttal, the Petitioner said the homes with the higher sales at the higher elevations most likely had to do with lake view.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-161-21 be upheld, subject to verifying the view and the size of the lot.

**04-511E HEARING NO. LT-1137 – MANUEL D. & DIANN M.
TALAMANTES - PARCEL NO. 125-471-03**

A petition for Review of Assessed Valuation received from Manuel D. and Diann M. Talamantes, protesting the taxable valuation on land and improvements located at 613 Lariat Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-LDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Manuel D. Talamantes, the Petitioner, was sworn, submitted a letter and photographs, Exhibits A and B, and testified that they have no lake view and this issue has been resolved with the Assessor. He thanked the Assessor's staff for their professional manner and forthright concern for his situation. He disputed the 10 percent upward adjustment for lot size, stating there was no reason for the upward adjustment because there was no added value due to the lot size. Petitioner Talamantes stated other dwellings, condominiums, a water storage tank and boats all diminish the value of his property. He explained that his IPES scores were low, and he would not be able to add to his property.

Member Allison stated that it was inappropriate that the Petitioner would request a reduction due to boats when the property was near Lake Tahoe, and the Petitioner disagreed.

Chairman Fox stated that the Board could not authorize refunds for past years, and he directed the Petitioner to speak to his attorney or to the Assessor for advice on pursuing refund of taxes.

Appraiser Diezel advised that, based on an interior inspection of the property, it was determined that the correct view classification was V-0. She explained that the subject's land value originally received a 10 percent upward adjustment for the large size of the parcel, and the correct base lot value for a V-0 is \$190,000. The Appraiser stated she is recommending the upward adjustment be applied to the \$190,000, which will result in a land value of \$209,000. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In rebuttal, the Petitioner stated the 10 percent additional value placed on the property should be examined.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-471-03 be reduced to \$209,000 and the taxable value of the improvements be upheld for a total taxable value of \$513,119. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-512E HEARING NO. LT-1048 – FRANK C. MAGUIRE, JR., ET AL
PARCEL NO. 125-482-36

A petition for Review of Assessed Valuation received from Frank C. Maguire, Jr., et al, protesting the taxable valuation on land and improvements located at 635 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Gabrielle Dentraygues, the Petitioner, was sworn and clarified that she was the other owner of the parcel. She testified that the home was built over a sewer line, and she questioned her view classification. She said she did accept the recommendation from the Assessor.

Appraiser Diezel explained that the Assessor was recommending the subject parcel's land value be reduced by 20 percent, due to a sewer easement that runs through the parcel, outside the typical easement area. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

Ms. Dentraygues had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (sewer easement) were not given enough weight, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-482-36 be reduced to \$220,000 and the taxable value of the improvements be upheld for a total taxable value of \$290,179. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-513E HEARING NO. LT-1049 – FRANK C. MAGUIRE JR., ET AL
PARCEL NO. 125-523-04

A petition for Review of Assessed Valuation received from Frank C. Maguier, Jr., et al, protesting the taxable valuation on land and improvements located at 577 Fallen Leaf Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Gabrielle Dentraygues, previously sworn and co-owner of the subject property, spoke on behalf of the Petitioner, and stated he was upset with his taxes.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Parcel No. 125-523-04 be upheld.

04-514E HEARING NO. LT-817 – MICHAEL & SHANNON HESS
PARCEL NO. 122-135-01

A petition for Review of Assessed Valuation received from Michael and Shannon Hess, protesting the taxable valuation on land and improvements located at 521

Spencer Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

Shannon Hess, the Petitioner, was sworn and said that the subject parcel was purchased in 1999 for \$600,000. She testified that the Assessor inspected the property, adjusted the view classification, and made note that there was no Jacuzzi bath. She stated she was in agreement with the recommendation from the Assessor.

Appraiser Diezel explained that there was a recommendation for the subject parcel to reduce the taxable value of the land and improvements based on an interior inspection that determined the correct view classification was V2, and it was found that there was no Jacuzzi bath. She stated that the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 122-135-01 be reduced to \$247,500 and the taxable value of the improvements be reduced to \$168,908 for a total taxable value of \$416,408. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-515E HEARING NO. LT-2 – LARRY & JEAN D. SARGEANT
PARCEL NO. 122-052-12

A petition for Review of Assessed Valuation received from Larry and Jean D. Sargeant, protesting the taxable valuation on land and improvements located at 633 Woodridge Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Larry Sargeant, the Petitioner, was sworn and testified that the value of the property should be reduced based on several adverse conditions. He stated that a turnout that was close to the property was used by people to stop their vehicles and relieve themselves. He further stated it was used as a path to trespass on the property. He

explained that the traffic, a sand station and the Sheriff's station create excess noise. He said there was a sediment pond near the property and Washoe County has asked them for a 10-foot easement. He confirmed that the home was purchased in 1990 for \$220,000.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She explained that the subject parcel was receiving a ten percent adjustment for traffic and a five percent adjustment for the slope of the driveway. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In rebuttal, the Petitioner disputed one of the comparables stating it was newer, bigger, had a better view and was located past the parking area that affects his property.

The Chairman closed the hearing.

Member Schmidt moved to uphold the taxable value of the improvements and to decrease the taxable value of the land by 25 percent based upon adverse factors. The motion was seconded by Member Obester, but failed upon call for the vote with Members Obester and Schmidt voting "yes," and Members Allison, Fox and Sparks voting "no."

Based on the FINDINGS that adverse factors were not considered by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Members Schmidt and Obester voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 122-052-12 be reduced to \$320,000 and the taxable value of the improvements be upheld for a total taxable value of \$427,717. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-516E HEARING NO. LT-1188 – HAROLD L. SPROGIS TR., ET AL
PARCEL NO. 122-115-16

A petition for Review of Assessed Valuation received from Harold L. Sprogis, Tr., et al, protesting the taxable valuation on land and improvements located at 535 Knotty Pine Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Harold L. Sprogis, the Petitioner, was sworn and submitted a letter and presented a graph showing the increases in taxes and net assessed values in Incline

Village from 1998-2004, Exhibit A. He requested the view classification be reduced due to tree growth, and he questioned the comparable properties used by the Assessor. He said he did not believe the taxable value exceeds the market value.

Chairman Fox directed the Petitioner to contact the Assessor to set an appointment to verify the view classification.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-115-16 be upheld, subject to verifying the view classification.

04-517E HEARING NO. LT-1189 – EUGENE & LINDA CARDILLO, TR.
PARCEL NO. 122-116-09

A petition for Review of Assessed Valuation received from Eugene and Linda Cardillo, Tr., protesting the taxable valuation on land and improvements located at 531 Sugarpine Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Eugene Cardillo, Petitioner, was sworn, submitted a letter, Exhibit A, and testified that he was appealing his tax assessment based on the removal of a spa from the subject parcel and electrical wires, power poles and transformers that entitled his neighbor to a 20 percent adjustment, while he only received a 10 percent adjustment. He explained that from 2001 to 2003 his land value increased 100 percent, while other properties in the Incline Village area increased only 14 percent. He did not agree with this percentage increase because he said his property was no different from others in the area. He pointed out that the fixture count was wrong on the Assessor's Exhibit III.

Chairman Fox said the Petitioner could make an appointment with the Assessor to confirm and correct the fixture count. He explained that the reason the Board does not look at the taxable value for past years was that would require a presumption on behalf of the Board that any previous year's values were correct at that time. The Board

does not make that presumption. The Board looks at the current year and decides whether or not the current year's value was correct.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She explained that the percentage of power line adjustments ranged from 5 to 20 percent, and the property the Petitioner was referring to had power lines running through their view and a pole with a transformer, which entitled them to a higher percentage adjustment. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In response to Member Schmidt, Appraiser Diezel said she would confirm the fixture count and the power line impact if contacted by the Petitioner. She stated there was no adjustment given for an oversize lot, and the cut off for a normal size lot was typically at .46 acre.

Member Sparks inquired why the terminology of teardowns was used in the vacant land sales. Appraiser Diezel read from Exhibit II to answer his question. She explained how she arrived at the actual sales price from the time adjusted sales price.

Member Obester questioned the traffic impact on the subject parcel, and Appraiser Diezel stated that the lot was an interior lot on an interior street and would not warrant a traffic adjustment.

Chairman Fox clarified that when a time adjustment was developed, it was to adjust sales prices to a time certain. He said time adjustments are not applied to previous taxable values to arrive at a new taxable value.

In rebuttal, the Petitioner stated that he did not understand the way vacant land sales and teardowns were being used.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-116-09 be upheld, subject to reinspection by the Assessor.

04-518E HEARING NO. LT-427 – SAM J. & LORRAINE H. ZULLO, TR.
PARCEL NO. 122-135-02

A petition for Review of Assessed Valuation received from Sam J. and Lorraine H. Zullo, Tr., protesting the taxable valuation on land and improvements located at 523 Spencer Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Sam Zullo, Petitioner, was sworn, submitted a letter, Exhibit A, and testified that there were adverse factors not considered in his assessment. He said his parcel has a slope in excess of 15 percent, Tahoe Regional Planning Agency approval on future coverage was limited to the existing building footprint which consists of a 2600 square foot home on three levels, and deck coverage cannot be utilized in the future building coverage. He presented comparables outlined in his letter and noted inconsistencies in the land values assigned to the parcels. He did not understand why his value was higher than the other lots, and he requested his value be lowered to equalize it with the other homes on his street.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She went through each of the comparables presented by the Petitioner and described the discounts given and why the lot values were different. Discounts were given for access on some lots, and the difference in the view classifications accounted for the variation in the lot values. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In rebuttal, the Petitioner said the assessed value of the land should relate to market value. He stated his slope was in excess and a reduction should be considered.

The Chairman closed the hearing.

Member Schmidt moved to decrease the taxable value of the land by the standard deduction given for access due to the slope of the driveway and uphold the taxable value of the improvements. The motion was seconded by Member Obester, but upon call for the vote, failed with Member Schmidt voting "yes," and Members Allison, Fox, Obester and Sparks voting "no."

Chairman Fox stated he could not support an open-ended motion, and Member Allison said that the letter stated his property has a slope, not his driveway.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Members Schmidt and Obester voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-135-02 be upheld.

04-519E HEARING NO. LT-887 – BERT I. KOENIG
PARCEL NO. 125-201-09

A petition for Review of Assessed Valuation received from Bert I. Koenig, protesting the taxable valuation on land and improvements located at 804 Jennifer, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-MDS and designated 020-single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called.

Appraiser Diezel said that the Petitioner was concerned with the view and requested an inspection. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-201-09 be upheld.

04-520E HEARING NO. LT-152 – WILLARD D. & ELFRIEDE AKERS
PARCEL NO. 125-223-15

A petition for Review of Assessed Valuation received from Willard D. and Elfriede Akers, protesting the taxable valuation on land and improvements located at 815 Ellen Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Willard D. Akers, the Petitioner, was sworn, submitted photographs and a letter, Exhibit A, and testified that he was appealing the Assessor's taxable valuation of the land because there were factual errors on the Assessor's appraisal record. He said the neighborhood quality and views were far inferior to that of the ones in which the Assessor's comparables were located, property values in the neighborhood have fallen dramatically in the last two years, and the subject property has serious detriments, which greatly decrease its market value. He described his issues in detail, as outlined in his letter.

Chairman Fox directed the Petitioner to address the factual errors with the Assessor. He said that the Board deals only with the current year and he should consult with the Assessor or his attorney concerning issues with previous years.

In response to Member Sparks, the Petitioner described his definition of the boundaries of his neighborhood.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

Chairman Fox inquired about the proximity of the improved sales to the subject parcel and Appraiser Diezel identified the areas as requested. She clarified that the elevation of the subject property was approximately 7,000 feet and the comparables ranged from 6,800 feet to 7,500 feet. She confirmed these areas were competing areas with the subject area because the homes were a non-homogenous mixture, there were varied views, comparable topography and marketed similarly. She commented on the open space easement and potential water damage in the foundation referenced by the Petitioner and offered suggestions to the Petitioner regarding that situation. Appraiser Diezel also offered to verify the view classification if the Petitioner so desired. She explained that the required mitigations the Petitioner referred to in his letter were the best management practices that have been imposed by the TRPA throughout the Tahoe Basin and homeowners have a deadline to complete the work.

Member Schmidt stated panoramic views should be rated differently when there was a full view as compared to a quarter of a view, and he said he has not seen that differentiation presented by the Assessor. In response to Member Schmidt, Appraiser Diezel explained how the view of the subject parcel was determined.

Ron Sauer, Senior Appraiser, stated the Petitioner indicated that the Assessor looks at real estate listing prices and equates them to value. Mr. Sauer confirmed that the Assessor does not use listings to value properties. He said last year the Board asked the Assessor to look at how listing prices were performing in the Incline area, due to much testimony that prices were dropping substantially; and the Assessor had a hard time verifying that because no property could be found that was selling for less than the amount for which it had been purchased. He said they did see that homes were taking a little longer to sell, but no conclusions could be made about the sales prices dropping, as was testified. Appraiser Sauer stated listings are only used to demonstrate what an owner believes his property is worth.

In rebuttal, the Petitioner said that the closest comparable was two miles away from the subject parcel and was significantly higher in elevation, which would provide a much better view than the subject parcel even though the view classification was the same.

The Chairman closed the hearing.

Member Schmidt moved to decrease the taxable value of the land by five percent based upon adverse factors presented by the Petitioner and uphold the taxable value of the improvements. The motion was seconded by Member Obester, but failed upon call for the vote with Members Obester and Schmidt voting "yes," and Members Allison, Fox and Sparks voting "no."

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Members Schmidt and Obester voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-223-15 be upheld.

**04-521E HEARING NO. LT-938 – HERBERT G. & SHIRLEY A. FISHER,
TR. - PARCEL NO. 125-232-03**

A petition for Review of Assessed Valuation received from Herbert G. and Shirley A. Fisher, Tr., protesting the taxable valuation on land and improvements located at 814 Jeffrey Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

Herbert G. Fisher, Petitioner, was sworn and testified that he protested the methods used by the Assessor to arrive at the assessed valuation for the subject property. He objected to the use of view, teardowns and time-adjustments to determine values. He explained that there have been changes in the view of the subject parcel and he would be speaking to the Assessor about verifying the view. He said the lot has an unusually steep driveway and that affects the value of the property. He acknowledged that he received a small discount for that, but stated he did not believe it was enough. Petitioner Fisher stated he bought the home in 1990 and paid \$300,000 for it. He further explained that his neighbor had a survey completed recently and it was discovered that the boundary markers were off by several feet and the house was misplaced on the lot lines. Mr. Fisher stated he cannot enter his driveway or home without crossing the neighbor's property and he does not know what they are going to be able to do about the situation. He also believes this impacts the marketability of his home. He disputed the land value set by the Assessor and discussed the comparable sales. The Petitioner also said there were errors on the Assessor's appraisal record regarding the improvements, such as the number of bathrooms and fixtures in the house. He said the Assessor could make that correction when the view verification was completed.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She explained that the Petitioner was receiving a 10 percent reduction in the land value due to the steep

up-sloping driveway. She said an interior inspection had been done on the subject parcel, but she would be willing to reinspect the parcel if requested by the Petitioner. She further explained that residential property was based on a site-per-site basis. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In response to Member Schmidt, Appraiser Diezel explained access and when reductions occur on parcels.

Ron Sauer, Senior Appraiser, said he personally inspected the subject parcel, the driveway was considered dangerous, and that was why the 10 percent reduction was given.

In rebuttal, the Petitioner said that when the Assessor's staff came to verify the view, they did not park in the driveway; and when he asked why they parked down on the street, he was told that they would not go up the driveway and come back down. He further stated that, due to the variation of the houses in the area and their interior and exterior, the price per square foot was not truly reflected in averages. He acknowledged that the trees have grown excessively and the view needs to be verified.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-232-03 be upheld.

04-522E HEARING NO. LT-1125 – CHARLES F. & CARRIE C. MARVIN
PARCEL NO. 125-431-01

A petition for Review of Assessed Valuation received from Charles F. and Carrie C. Marvin, protesting the taxable valuation on land and improvements located at 1010 Galaxy Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Charles F. Marvin, the Petitioner, was sworn, submitted a letter, map and photographs, Exhibit A, and testified that elevation does impact property values. He noted the steep increases over a three-year period in his total land taxable value. Petitioner Marvin discussed vacant land sales, improved sales and view rating considerations, as outlined in his letter. He described his view of the lake using the photographs and said he would ask the Assessor to verify the view classification by appointment. He requested a decrease in his valuation due to an excessive view rating,

the vacant land sales were irrelevant, altitude/weather, and a more relevant improved sales comparison should be applied.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She said the Assessor would verify the view classification, if requested by the Petitioner. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

Member Sparks discussed the comparables, their views, quality classes and depreciation on the properties and square footages. He said he did not see that there was anything unusual about the three comparables presented. He noted there were three land sales very close to the subject property listed in Exhibit IV.

Chairman Fox noted that, on the improved sales, the analysis made by the Petitioner was based on taxable value. He said, when based on taxable value, the age of the improvements must be looked at because it is a legislative procedure and the quality class must be considered. He explained that in Nevada properties are not equalized on the basis of market value, but on the basis of taxable value, and this will produce wide variances in taxable values for properties that have the same or similar market values.

In rebuttal, the Petitioner stated he was confused about the improved sales category and Chairman Fox explained this to him.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-431-01 be upheld.

04-523E HEARING NO. LT-170 – GARY B. & MARIEL K. THOMSEN
PARCEL NO. 125-431-19

A petition for Review of Assessed Valuation received from Gary B. and Mariel K. Thomsen, protesting the taxable valuation on land and improvements located at 989 Wander Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Gary B. Thomsen, the Petitioner, was sworn, submitted a graph comparing median sales to his taxable value, Exhibit A, and discussed the assessed values of properties and median sale values. He said there was little correlation between the two, and he believed the valuation process was flawed. He testified that the assessed values

should follow median sales data, large jumps in land value were difficult to budget for, and he stated his complaint was against the assessment system in general. He acknowledged that he had no specific request to bring before the Board and he expected no action.

Chairman Fox commented on the Petitioner's graph and said it was an absolute fact that taxable values do not run parallel with the sales prices and the reason for that was that the taxable values were not derived from sales prices.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-431-19 be upheld.

4:07 p.m. Member Allison temporarily left the meeting.

04-524E **HEARING NO. LT-1167 – ANDREW N. WOLF**
PARCEL NO. 125-441-21

A petition for Review of Assessed Valuation received from Andrew N. Wolf, protesting the taxable valuation on land and improvements located at 1007 Apollo Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called. He had also submitted a letter, Exhibit A, listing several adverse factors that he believed impact the value of his property such as, odd-shaped lot, the slope and steepness of the lot, heavy snowfall area, etc., which was reviewed by the Board.

Appraiser Diezel explained the Assessor is recommending a ten percent reduction in the subject's land value based on the shape of the lot. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Chairman Fox, seconded by Member Sparks, which motion duly carried with Member Obester voting "no," and Member Allison temporarily absent, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-441-21 be reduced to \$360,000; and the taxable value of the improvements be upheld for a total taxable value of \$527,626. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

4:20 p.m. Member Allison returned to the meeting. Chairman Fox temporarily left the meeting, and Member Allison assumed the gavel.

04-525E HEARING NO. LT-1071 – DAVID M. & LINDA S. DELBRIDGE
PARCEL NO. 125-482-14

A petition for Review of Assessed Valuation received from David M. and Linda S. Delbridge, protesting the taxable valuation on land and improvements located at 574 Rockrose Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated vacant land.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

David M. and Linda S. Delbridge, the Petitioners, were sworn in. Mr. Delbridge testified that they purchased the small, vacant lot adjoining their property to prevent someone from buying it and building a rental next door to them. He questioned the time adjusted sales prices in Assessor's Exhibit IV that applied to his lot. Ms. Delbridge pointed out that their lot had little coverage and yet it was compared to other lots with much more coverage. Mr. Delbridge said he was requesting a reduction because the lot was used as a County snow dump zone and had poor access due to the slope.

Member Allison inquired if they had an arrangement with the County regarding the snow dump zone, and Mr. Delbridge said there was no official agreement.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She said that the steepness of the slope was built into the base lot value, so no additional adjustment was given. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

In rebuttal, Ms. Delbridge noted that their lot was being compared to a lot that has 5,000 square feet of coverage built into the price that has been time adjusted. She said that was a lot of money to add in and it helps increase the base lot value from her perspective. She said the coverage should be taken out and then calculate the median value of the base lot.

The Vice Chairman closed the hearing.

Member Schmidt commented that the Assessor's office continually applied the time-adjusted sales price to the dismay of many petitioners, and he said he did not believe it was at all appropriate to ignore it when it weighs in favorably for the Petitioners. He stated the Assessor needed to apply the time-adjusted sales price consistently.

Based on the FINDINGS that adverse factors (lack of coverage) were not considered by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Chairman Fox temporarily absent and Member Obester abstaining, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-482-14 be reduced to \$162,500. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-526E HEARING NO. LT-1072 – DAVID M. & LINDA S. DELBRIDGE
PARCEL NO. 125-482-15

A petition for Review of Assessed Valuation received from David M. and Linda S. Delbridge, protesting the taxable valuation on land and improvements located at 572 Rockrose Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

David M. and Linda S. Delbridge, the Petitioners, previously sworn, submitted maps, Exhibit A, and testified that their lake view was fair and not average. The Assessor reassessed the view over a year ago and they would like it reviewed again. He said that an adjustment should be given for slope. Mr. Delbridge explained that the parcel has a detached garage because the slope was too steep for a driveway. He stated that Tahoe Regional Planning Agency placed a condition on the purchase of the property requiring landscaping remedies be erected in order to address an erosion problem from the slope. He mentioned the stairs that also make access to the home difficult. Ms. Delbridge stated they purchased the home in 1996 for \$532,000. Mr. Delbridge was not in agreement with the comparables used by the Assessor, specifically the use of teardowns. Ms. Delbridge noted that the lots that were used to determine the base lot value were larger than the subject parcel.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She said that the subject parcel could qualify for a discount due to the stairs, detached garage and access

factors. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Petitioners had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (access) were not considered by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Obester voting "no" and Chairman Fox temporarily absent, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-482-15 be reduced to \$360,000; and the taxable value of the improvements be upheld for a total taxable value of \$659,231. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

4:55 p.m. Chairman Fox returned to the meeting and resumed the gavel.

04-527E **HEARING NO. LT-654 – DONALD KAPLAN, TR., ET AL**
PARCEL NO. 122-052-02

A petition for Review of Assessed Valuation received from Donald Kaplan, Tr., et al, protesting the taxable valuation on land and improvements located at 630 Woodbridge Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-052-02 be upheld.

04-528E HEARING NO. LT-475 – DARYL & REBECCA RIERSGARD
PARCEL NO. 125-163-10

A petition for Review of Assessed Valuation received from Daryl and Rebecca Riesgard, protesting the taxable valuation on land and improvements located at 920 Dorsey Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Ron Sauer, Senior Appraiser, explained that, as a result of conducting a physical inspection, the Assessor is recommending that the subject's land value be reduced due to an error on the view classification and size of the lot, and, further that the building value be reduced due to the quality class. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-163-10 be reduced to \$171,000 and the taxable value of the improvements be reduced to \$272,789 for a total taxable value of \$443,789. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-529E HEARING NO. LT-1115 – WAYNE Y. KOIDE, TR., ET AL
PARCEL NO. 125-244-31

A petition for Review of Assessed Valuation received from Wayne Y. Koide, Tr., et al, protesting the taxable valuation on land and improvements located at 808 Charles Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-244-31 be upheld.

04-530E HEARING NO. LT-127 – ALLEN D. & LILIA PUTNEY
PARCEL NO. 125-041-04

A petition for Review of Assessed Valuation received from Allen D. and Lilia Putney, protesting the taxable valuation on land and improvements located at 736 Allison Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Petitioner was not present, but submitted a letter and appraisal, Exhibit A, which the Board reviewed and discussed.

In response to Member Sparks, Appraiser Diezel answered his questions about the appraisal submitted by the Petitioner that stated a land value of \$125,000.

Chairman Fox asked Ron Sauer, Senior Appraiser, if he had seen any vacant land sales as low as \$125,000 in the Incline Village area in recent history. Appraiser Sauer said he would have to go back four to five years to find a vacant land sale at that price.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-041-04 be upheld.

04-531E HEARING NO. LT-1045 – JACQUELINE C. BRADLEY, ET AL
PARCEL NO. 125-134-13

A petition for Review of Assessed Valuation received from Jacqueline C. Bradley, et al, protesting the taxable valuation on land and improvements located at 699 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-134-13 be upheld.

04-532E HEARING NO. LT-1111 – CLAUDE C. & KAREN S. TURNER, TR.
- PARCEL NO. 125-134-16

A petition for Review of Assessed Valuation received from Claude C. and Karen S. Turner, Tr., protesting the taxable valuation on land and improvements located at 705 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDs and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter and photographs, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel said she would contact the Petitioner regarding their questions about the view classification. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-134-16 be upheld.

04-533E HEARING NO. LT-1148 – JOHN W. & ANNA M. HANAVAN
PARCEL NO. 125-481-03

A petition for Review of Assessed Valuation received from John W. and Anna M. Hanavan, protesting the taxable valuation on land and improvements located at 608 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-481-03 be upheld.

04-534E HEARING NO. LT-1150 – BOYD-TAHOE LLC
PARCEL NO. 125-544-14

A petition for Review of Assessed Valuation received from Boyd-Tahoe, LLC, protesting the taxable valuation on land and improvements located at 664 Tumbleweed Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Member Obester questioned the view rating, and Member Allison requested the Assessor's office contact the Petitioner to verify the view.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-544-14 be upheld.

04-535E HEARING NO. LT-21 – ELEANOR A. ELROD
PARCEL NO. 122-116-14

A petition for Review of Assessed Valuation received from Eleanor A. Elrod, protesting the taxable valuation on land and improvements located at 510 Silvertip Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

In response to Member Sparks, Appraiser Diezel confirmed that the Assessor's office has not used any evaluation methods that are not supported by statute and the same methods were applied to similar properties. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-116-14 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-536E HEARING NO. LT-128 – BRENT & BEÑET TERRY
PARCEL NO. 125-131-08

A petition for Review of Assessed Valuation received from Brent and Beñet Terry, protesting the taxable valuation on land and improvements located at 456 Jill Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Member Sparks requested the Assessor's staff contact the Petitioner to verify the view classification.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-131-08 be upheld.

04-537E HEARING NO. LT-803 – ALTON MCKENNON, TR.
PARCEL NO. 125-141-30

A petition for Review of Assessed Valuation received from Alton McKennon, Tr., protesting the taxable valuation on land and improvements located at 407 Valerie Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written presentation and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Member Allison commented that no hearings were being rescheduled due to time constraints and the volume of work for the Board and the Assessor's office. She noted that the subject parcel was inspected in February of 2004 to verify the view.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-141-30 be upheld.

04-538E HEARING NO. LT-1046 – THOMAS A. MILLHOFF, ET AL
PARCEL NO. 125-163-25

A petition for Review of Assessed Valuation received from Thomas A. Millhoff, et al, protesting the taxable valuation on land and improvements located at 580 Douglas Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, charts and graphs, Exhibit A, which the Board reviewed and discussed.

In response to Member Sparks, Appraiser Diezel acknowledged that she had completed an on-site inspection and addressed the Petitioner's issues. She explained that the Nevada Revised Statutes require that the land be valued at current full cash value, and that residential land was valued in the area on a per-site basis, as it was actually bought and sold on the market. Appraiser Diezel confirmed that the base lot value for properties similar to the subject parcel was \$400,000. She said that studies of the market have shown that the market at this time does not recognize a difference in value based on elevation alone.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-163-25 be upheld.

04-539E HEARING NO. LT-1252 – ERIC J. GANGLOFF
PARCEL NO. 125-232-20

A petition for Review of Assessed Valuation received from Eric J. Gangloff, protesting the taxable valuation on land and improvements located at 790 Ida Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

Member Allison requested that the Assessor contact the Petitioner to set an appointment to verify the view of the subject parcel.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-232-20 be upheld.

04-540E HEARING NO. LT-175 – ROBERT J. SOFMAN
PARCEL NO. 125-462-05

A petition for Review of Assessed Valuation received from Robert J. Sofman, protesting the taxable valuation on land and improvements located at 662 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

In response to Member Sparks, Appraiser Diezel explained that no improper methods were used to value the subject property, and there was no relationship

between median housing cost increases in Incline Village and the fair, equitable, rational approach to looking at the land value for the subject property. She confirmed that the value of the property was determined as value in use, and she would contact the Petitioner to set an appointment to verify the view. The Appraiser said that a 70 percent ratio was not used in any of the studies between comparable land prices and the establishment of full cash value. She acknowledged that tax value increases do not enter into the full cash value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-462-05 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-541E HEARING NO. LT-859 – MARK S. KERBER
PARCEL NO. 125-463-18

A petition for Review of Assessed Valuation received from Mark S. Kerber, protesting the taxable valuation on land and improvements located at 659 Tyner Way, Washoe County, Nevada, was set for consideration at this time. The property is zoned 36-MDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter and real estate listings, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

Chairman Fox commented that the Board does not consider taxes in reaching their decisions.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-463-18 be upheld.

04-542E HEARING NO. LT-1183 – GREGORY P. & CATHERINE H. WOODSON - PARCEL NO. 125-482-21

A petition for Review of Assessed Valuation received from Gregory P. and Catherine H. Woodson, protesting the taxable valuation on land and improvements located at 579 Rockrose Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-482-21 be upheld.

04-543E HEARING NO. LT-1218C – RAYMOND L. & SUSAN L. HENRICKSEN, TR. - PARCEL NO. 131-121-38

A petition for Review of Assessed Valuation received from Raymond L. and Susan L. Henricksen, Tr., protesting the taxable valuation on the land located at 952 Fairway Park Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated 012/vacant.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioners were not present.

Appraiser Lopez stated that the Petitioners received a re-open notice in May of 2003 for the 2003/04 fiscal year concerning the subject parcel, and therefore, they had the right to appeal the 2003/04 values. Chairman Fox noted this was the rare instance that the Board would be hearing the value for 2003/04 because the Assessor reopened the role. Appraiser Lopez explained that the property owner filed a property line adjustment to create two separate parcels; and, upon inspection, it was found that the residence straddled the property line. At the time of the inspection, the property owner's intent was to tear down the residence and build a single residence on each lot, but due to complications and delays, the structure was still there. He said the lots function as one and it was his recommendation to value the parcels as one, giving an 80 percent downward adjustment on the subject parcel until the two lots were used as two and the residence on both lots was demolished. It would be the Assessor's recommendation that the land value on the subject parcel be reduced to \$50,000 for the 2003 tax roll. He stated the Assessor would stand on their written record and Exhibits I, II, III and VIII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 131-121-38 be reduced to \$50,000. The Board also made the findings that with this adjustment the land was valued correctly and the total taxable value does not exceed full cash value.

04-544E HEARING NO. LT-1218D – RAYMOND L. & SUSAN L. HENRICKSEN, TR. - PARCEL NO. 1331-121-39

A petition for Review of Assessed Valuation received from Raymond L. and Susan L. Henricksen, protesting the taxable valuation on land and improvements located at 952 Fairway, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 044-LDU and designated 020/single-family residence.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioners were not present.

Appraiser Lopez stated that the Petitioners received a re-open notice in May of 2003 for the 2003/04 fiscal year concerning the subject parcel, and therefore, they had the right to appeal the 2003/04 values. Chairman Fox noted this was the rare instance that the Board would be hearing the value for 2003/04 because the Assessor reopened the role.

Appraiser Lopez explained that the property owner filed a property line adjustment to create two separate parcels; and, upon inspection, it was found that the residence straddled the property line. At the time of the inspection, the property owner's intent was to tear down the residence and build a single residence on each lot, but due to complications and delays, the structure was still there. He said the lots function as one and it was his recommendation to value the parcels as one, and uphold the Assessor's value on the subject property. He stated the Assessor would stand on their written record and Exhibits I, II, III, and VIII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 131-121-39 be upheld.

04-545E HEARING NO. LT-1141 – NEWMAN J. & JUDITH A. WHITMIRE
- PARCEL NO. 122-123-03

A petition for Review of Assessed Valuation received from Newman J. and Judith A. Whitmire, protesting the taxable valuation on land and improvements located at 570 Sugarpine Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel advised that, based on an interior inspection of the subject property, it was determined that the correct view classification was V0, and she recommended that the taxable value of the land be reduced to \$190,000. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 122-123-03 be reduced to \$190,000 and the taxable value of the improvements be upheld for a total taxable value of \$257,625. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-546E HEARING NO. LT-1112 – CARL R. CHRISTIANSEN, TR.
PARCEL NO. 125-163-19

A petition for Review of Assessed Valuation received from Carl R. Christiansen, Tr., protesting the taxable valuation on land and improvements located at 583 Douglas Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel explained that, based on an interior inspection of the subject property, it was determined that the correct view classification was V0, and she recommended that the taxable value of the land be reduced to \$171,000. She noted that the subject parcel was receiving a 10 percent downward adjustment for size. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-163-19 be reduced to \$171,000 and the taxable value of the improvements be upheld for a total taxable value of \$396,385. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-547E HEARING NO. LT-215 – BRUCE & JUDITH DE MENNO, TR.
PARCEL NO. 125-461-04

A petition for Review of Assessed Valuation received from Bruce and Judith De Menno, Tr., protesting the taxable valuation on land and improvements located at 654 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel explained that, based upon an interior inspection of the subject property, it was determined that the correct view classification was V0, and additional reductions were recommended due to lot size and a steep up-sloping driveway. She said that it was the Assessor's recommendation to reduce the taxable value of the land to \$161,500. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-461-04 be reduced to \$161,500 and the taxable value of the improvements be upheld for a total taxable value of \$322,077. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-548E HEARING NO. LT-1198 – JOHN A. & BARBARA J. RICHARD
PARCEL NO. 125-561-09

A petition for Review of Assessed Valuation received from John A. and Barbara J. Richard, protesting the taxable valuation on land and improvements located at 568 Matchless Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel explained that on reappraisal the parcel received a ten percent downward adjustment for the long steep driveway and, in error, the parcel was given a five percent upward adjustment for size. It was recommended that the taxable land value be reduced by five percent to equalize it with similar properties in the neighborhood. She said it was the Assessor's recommendation to reduce the taxable value of the land to \$247,500. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-561-09 be reduced to \$247,500 and the taxable value of the improvements be upheld for a total taxable value of

\$367,622. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-549E HEARING NO. LT-437A – BENJAMIN T. & ANN P. KONG, TR.
PARCEL NO. 125-522-04

A petition for Review of Assessed Valuation received from Benjamin T. and Ann P. Kong, Tr., protesting the taxable valuation on land and improvements located at 672 Tumbleweed Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-15 and designated vacant single-family.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel explained that due to a clerical error the subject parcel did not receive the adjustment for small lot size. She said it was the Assessor's recommendation to reduce the taxable value of the land to \$270,000. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was a clerical error made by the Assessor, and as recommended by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-522-04 be reduced to \$270,000. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-550E HEARING NO. LT-1140 – MICHAEL T. DE MERS
PARCEL NO. 122-051-02

A petition for Review of Assessed Valuation received from Michael De Mers, protesting the taxable valuation on land and improvements located at 640 Woodridge Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel explained that, in reviewing the record on the subject property, it was discovered that the storage room under the garage was costed incorrectly. The cost used was \$27.78 per square foot. She said by using Marshall & Swift residential costs, \$11.08 per square foot was a more appropriate cost. Appraiser Diezel further explained that, after applying the required depreciation and the 2004 factor, the result was a reduction of the improvement value by \$15,026, bringing the taxable value of the improvements to \$211,583. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 122-051-02 be upheld and the taxable value of the improvements be reduced to \$211,583 for a total taxable value of \$591,583. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-551E HEARING NO. LT-1185 – MICKEY D. & CAROL W.
MCPHERSON - PARCEL NO. 122-133-03

A petition for Review of Assessed Valuation received from Mickey D. and Carol W. McPherson, protesting the taxable valuation on land and improvements located at 568 Dale Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Diezel explained that, based on an interior inspection of the subject property, it was determined that the quality class was incorrect, which resulted in a recommendation to reduce the taxable value of the improvements to \$239,960. She further explained that the parcel was receiving a five percent downward adjustment to the land value due to power lines; and, upon the inspection, it was found that an additional 10 percent reduction was recommended due to a long, up-sloping, curving driveway. She said the recommendation was to reduce the taxable land value to \$340,000. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 122-133-03 be reduced to \$340,000 and the taxable value of the improvements be reduced to \$239,960 for a total taxable value of \$579,960. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-552E HEARING NOS. LT-1034, -1192, -1094, -1143, -1043, -1211, -1116, 158B, -808, -1142, -1135, -1147, -201, -617, -426, -1128, -1268, -1208, -850, -30, -1249, -135, -139, -146, -731, -894, -895, -1253, -743

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located in Washoe County, Nevada, was set for consideration at this time. The specific location, zoning and present use of the parcels was stated on each individual petition.

Chairman Fox noted that there were no more Petitioners present, there were no letters, and no additional information was provided for the Board to examine for the remaining petitions. He inquired of the Board and the Assessor's office if there were any reasons why the hearings could not be consolidated, and no reasons were stated.

Member Sparks remarked that these petitions are all the same in that they have "unknown" placed under the owner's opinion of land value, building value and total, and they say the purchase price and date are unknown. He further stated that under "reason" all the petitions state that valuation methods are not supported by statute or regulation, and they also indicate that they will be supplying additional documentation or evidence at the hearings, but nothing else has been received.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the remaining petitions be consolidated and heard together.

The Clerk called each hearing and parcel number separately.

Ivy Diezel, Appraiser, duly sworn, stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Chairman again asked if anyone was present representing the Petitioners and there was no response.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Sparks, seconded by

Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner(s)	Parcel No.
LT-1034	Herbert W. and Margaret K. Hardt	122-052-22
LT-1192	Felix J. and Helen E. Charpentier, Tr.	122-125-10
LT-1094	Trudy E. Nair	122-142-11
LT-1143	Starchild Corporation	125-132-02
LT-1043	Douglas E. Hutson	125-132-10
LT-1211	F. Alan and Sonia C. Kneier	125-243-26
LT-1116	Carl A. Jr. and Christine E. Carlson	125-372-01
LT-158B	Richard M. Vincent	125-382-11
LT-808	Brian and Dawn Rye	125-482-10
LT-1142	James E. and Dorith L. Grimm, Tr.	122-135-06
LT-1135	Cheryl D. Wright, Tr.	125-185-24
LT-1147	Gene H. and Nancy E. Englund	125-441-16
LT-201	Ralph and Elise Westerlund, Tr.	125-541-08
LT-617	Barbara B. Jelinek, Tr.	122-111-02
LT-426	Henry F. Jr. and Edythe T. Henry, Tr.	122-111-07
LT-1128	Murray V. Dolan	122-127-01
LT-1268	Paul E. and Janice A. Hutzky	122-127-03
LT-1208	Ronald D. and Duran L. Randolph-Wall	122-133-04
LT-850	Patrick M. and Iria M. Wilson	122-135-10
LT-30	Edward J. and Kimberly A. Sliger, Tr.	122-135-26
LT-1249	James W. Peterson	125-134-11
LT-135	John S. Kelly, Tr.	125-142-17
LT-139	David G. and Jamie S. Baker	125-155-08
LT-146	Robert J. Dailey	125-184-03
LT-731	R.J. and Beverley H. Mason, Tr.	125-221-19
LT-894	Richard E. and Linda A. Offerdahl	125-462-07
LT-895	Richard E. and Linda A. Offerdahl	125-462-08
LT-1253	Kathleen Clark	125-463-07
LT-743	David J. and Erin L. Bogart	125-471-06

BOARD MEMBER COMMENTS

Gary Schmidt requested a future agenda item for Board discussion regarding NRS.261.277, Section 1, subsections a and b, to seek an opinion from the Attorney General's office regarding the statute.

PUBLIC COMMENTS

There was no response to the call for public comments.

* * * * *

6:30 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 20, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy and Lori Rowe
Deputy Clerks*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

FRIDAY

9:00 A.M

FEBRUARY 20, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
John Obester, Member
Gary Schmidt, Member
Steven Sparks, Member

Amy Harvey, County Clerk
Leslie Admirand, Deputy District Attorney
Ernie McNeill, Senior Appraiser

The Board met pursuant to a recess taken on February 19, 2004, in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the Petitioners:

Hearing No. LT-995, Stephen L. and Lisa D. Nesbitt, Parcel No. 125-163-26
Hearing No. LT-1283, Robert M. and Hildegard H. Bonesteel, Parcel No. 122-112-14
Hearing No. LT-19, Earl W. and Susan L. Burton, Tr., Parcel No. 122-114-10

9:00 A.M. - BLOCK

DISCUSSION AND ACTION - POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the Board would first consider the hearings where the Petitioners were present, then consider any petitions where a letter or additional information was submitted, and then any remaining hearings that assert the same or similar reason(s) for the appeal would be considered for consolidation.

DISCUSSION AND ACTION – BOARD MEMBER TO ATTEND STATE BOARD OF EQUALIZATION WORKSHOP

On motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that Board Member Schmidt would attend the State Board of Equalization Workshop being held on February 26, 2004 to receive input on

proposed language changes to the Nevada Administrative Code 361.682 through 361.753 regarding the practices and procedures of the State Board of Equalization.

* * * * *

Chairman Fox informed the people in attendance that the Board wanted to give each petitioner every opportunity to present any information concerning the value of their property. He explained that the petition filed was for a review of the assessed valuation to the Washoe County Board of Equalization. He said a property's value would be the only subject for discussion because that is the Board's only jurisdiction. He advised the Board could not make any decisions regarding taxes or tax rates. He stated that the discussions are limited to roll year 2004/2005, unless there is a supplemental bill presented. The Chairman further explained that it is the property owner's burden to show that the Assessor has valued their property wrong or that the taxable value exceeds the market value.

04-553E HEARING NO. LT-622 – JOHN J. & MARY K. BAX, TR.
PARCEL NO. 122-116-24

A petition for Review of Assessed Valuation received from John J. and Mary K. Bax, Tr., protesting the taxable valuation on land and improvements located at 500 Ponderosa Avenue, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

John J. Bax, Petitioner, was sworn, submitted a letter, Exhibit A, and testified that he commended the staff of the Assessor's Office. The staff was professional in explaining the appraisal process to him. He had questioned the view classification of his home and Rigo Lopez came out and re-evaluated the view. He said he was in agreement with the new classification.

Appraiser Diezel noted that the view classification was being reduced from a V-3 to V-2. The new classification would make the new land value \$275,000 with the improvements staying the same. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

Petitioner Bax did not have a rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal (view classification) and upon recommendation of the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 122-116-24 be reduced to \$275,000 and the taxable value of the improvements be upheld for a total taxable value of \$515,779. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-554E HEARING NO. LT-1064B - RUSSELL J., JR. AND WENDY CORY
PARCEL NO. 125-174-04

A petition for Review of Assessed Valuation received from Russell J., Jr., and Wendy Cory, protesting the taxable valuation on land and improvements located at 970 Dorcey Dr., Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Wendy Cory, the Petitioner, was sworn, submitted documents, Exhibit A, and testified that she was appealing the 2003/2004 roll. She said she wanted a refund or credit for the past year.

Appraiser Diezel said the Assessor corrected the square footage of the house for the 2003/04 roll and for previous years. She believed that the Petitioner was also requesting a reduction of the land value for previous years. She explained that the mountain-view designation was removed and it was now V-0. Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

In rebuttal, the Petitioner stated she wanted a refund or credit for 2003/04 on the land value, and Chairman Fox explained the Board of Equalization has no power to give refunds.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-174-04 be upheld.

04-555E HEARING NO. LT-1064B – MERLE ROBLEY
PARCEL NO. 125-172-32

A petition for Review of Assessed Valuation received from Merle Robley, protesting the taxable valuation on land and improvements located at 606 Dorothy Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Wendy Cory, previously sworn, representing Petitioner Merle Robley, submitted documents, Exhibit A, and testified that the Petitioner had a question regarding the view; but since it was the previous tax year and the Assessor had not made a supplemental appraisal, she understood it could not be heard at this Board.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She said changes in the view class, quality class and some fixture numbers had already been considered for the subject parcel. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-172-32 be upheld.

04-556E HEARING NO. LT-1070 – BRYCE M. & CATHRYN E. HERNDON,
TR. - PARCEL NO. 125-472-05

A petition for Review of Assessed Valuation received from Bryce M. and Cathryn E. Herndon, Tr., protesting the taxable valuation on land and improvements located at 612 Lariat Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Bryce M. Herndon, the Petitioner, was sworn, submitted documents, Exhibit A, and testified that he was requesting a roll back to the assessment in 2001. Mr. Herndon was basing his request on the neighborhood, which was originally zoned duplex/four-plex, though his property was a single-family residence. He also said his view classification was too high.

Chairman Fox asked if the Petitioner would be willing to have the Assessor verify the view classification, and he said he would.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

Member Schmidt asked about the neighborhood having multi-family as well as single-family residences and the stated comparables do not reflect "mixed" zone residences. Appraiser Diezel said many of the multi-family residences are condominiums now. He also asked when a reduction would be given for mixed neighborhoods. Appraiser Diezel said that would usually occur when the density is greater and when the construction is of a lesser quality.

Member Obester asked about the view classification for the condominiums in the neighborhood. Member Schmidt also asked about the construction of the condominiums and was told it was of a lesser quality than the subject property.

Mr. Hernden's rebuttal consisted of noting the neighborhood is now about half single family and half multi-family residences. He believed the ones close to him are not high quality.

The Chairman closed the hearing.

Chairman Fox noted the Petitioner was a real estate professional and that he knew what he was doing when he built his house. The Petitioner also asked the Board to roll the assessment to a previous year, but had no reason for the roll back to that year.

Member Schmidt said he seems to have overbuilt for the neighborhood, but having rentals in the neighborhood may make it less valuable. Member Schmidt was not in favor of rolling back the value to a previous year.

Member Schmidt made a motion to reduce the value of the land by five percent based on the mixed quality in the neighborhood. Member Obester seconded the motion. Member Allison said he made the choice to over-build in the neighborhood. Upon call for the vote, the motion failed with Members Fox, Allison and Sparks voting "no."

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, with Members Obester and Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-472-05 be upheld. It noted the Assessor would meet with the Petitioner to assess the view classification of the property.

04-557E HEARING NO. LT-899 – ROBERT E. BARKER, TR.
PARCEL NO. 125-523-05

A petition for Review of Assessed Valuation received from Robert E. Barker, Tr., protesting the taxable valuation on land and improvements located at 579 Fallen Leaf Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Robert Barker, Petitioner, was sworn and submitted an appraisal report, Exhibit A, and testified that he had a reduction in his view classification last year, but believes it is still over-classified. He noted his square footage is incorrect on the Exhibit III based on appraisals he gave to the Board. He also said he doesn't have a sauna on the property, for which he is being assessed.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. She said they take outside measurements to get the square footage, but that the Assessor's Office is ready and willing to verify the measurements, check the view classification and to do an inside inspection to verify he has no sauna.

Mr. Barker answered the questions from the Board. Member Sparks noted that, on the appraisal, the garage space looked larger; and that by having the Appraiser come to inspect the property, that allocation may be corrected and the evaluation changed. The Petitioner was told he needed to contact the Assessor's Office to set up an appointment to verify the information on the Exhibit III and check the view classification.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-523-05 be upheld.

HEARING NO. LT-620 – MARIANNA VAUGHN, TR.
PARCEL NO. 122-112-10

A petition for Review of Assessed Valuation received from Marianna Vaughn, Tr., protesting the taxable valuation on land and improvements located at 541 Ponderosa Avenue, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Marianna Vaughn, Petitioner, was sworn, submitted a letter and photographs, Exhibit A, and testified that she was surprised that a neighboring house, which sold in 2001, was not on the list of comparable sales. She questioned the view classification based on the trees blocking her view. Mrs. Vaughn said she believed her land value should be \$400,000.

Member Sparks found the information on the neighborhood house Mrs. Vaughn was referring to and found it was about a third of the size of the subject house, was half the quality class and had half the view classification.

Member Allison advised Mrs. Vaughn that she could call the Assessor's Office and make an appointment for them to check her view classification to make sure it is correct.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. Appraiser Diezel said the comparable the Petitioner mentioned was actually torn down in 2003.

In rebuttal, Petitioner Vaughn she said that the neighboring house had been a rental before it was torn down.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-112-10 be upheld.

04-559E HEARING NO. LT-804 – ROBERT J. & PAMELA G. BLACK
PARCEL NO. 125-153-05

A petition for Review of Assessed Valuation received from Robert J. and Pamela G. Black, protesting the taxable valuation on land and improvements located at 846 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Robert Black, Petitioner, was sworn, submitted a letter, Exhibit A, and testified that he has had very pleasant conversations with the Assessor's Office. Mr. Black stated he was concerned with the view classification on his property.

Chairman Fox reminded the Petitioner he can call the Appraiser to set up an appointment to have his view reassessed. The Petitioner stated he had talked to Appraiser Diezel and they have set up an appointment.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII; and that they will do a view re-assessment for the Petitioner.

Petitioner Black had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-153-05 be upheld.

04-560E HEARING NO. LT-1273 – CRAIG S. & MARY K. JELINEK
PARCEL NO. 125-223-14

A petition for Review of Assessed Valuation received from Craig S. and Mary K. Jelinek, protesting the taxable valuation on land and improvements located at 819 Ellen Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 8, and oriented the Board as to the location of subject property.

Craig Jelinek, Petitioner, was sworn, submitted a letter and appraisal, Exhibit A, and testified that he questioned the view classification on the property. Chairman Fox explained that he could have the view re-assessed by calling the Assessor's Office and setting up an appointment. Member Allison noted that he paid more for the subject property than the property's current taxable value, \$936,383, and he put on his petition that he thought the market value was \$1,600,000.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

Petitioner Jelinek had no rebuttal.

Member Sparks applauded the Petitioner's appraisal, honesty and interest in the process.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-223-14 be upheld.

04-561E HEARING NO. LT-807 – WILLIAM L. MORRIS, JR., ET AL.
PARCEL NO. 125-421-06

A petition for Review of Assessed Valuation received from William L. Morris, Jr., et al., protesting the taxable valuation on land and improvements located at 1049 Apollo Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 041-MDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

William L. Morris, Jr., Petitioner, was sworn and testified that his contact with the Assessor's Office has been very professional and cordial. He said he was questioning taxes in general, and he thinks the Assessor's value of his property is too high because of water problems and power lines on the property. He is requesting his overall value be reduced to \$700,000.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

Petitioner Morris had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-421-06 be upheld.

04-562E HEARING NO. LT-1069 - PAUL EDYE VAN PEBORGH, TR., ET AL. - PARCEL NO. 125-462-03

A petition for Review of Assessed Valuation received from Paul Edey Van Peborgh, Tr., et al., protesting the taxable valuation on land and improvements located at 666 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. She stated the Assessor's Office had reduction recommendations for the property.

Paul Van Peborgh, Petitioner, was sworn and testified that he would like the assessed value to be zero because the assessment process is a subjective evaluation. He also said that the address (666 Tyner Way) makes the house less valuable, that there is water running under the house that could be producing mold, the property is owned by several people, so it would be hard to sell.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. Appraiser Diezel advised that, based on interior inspection of the subject property, the view classification should be reduced from V-4 to V-3, the slope of the driveway warrants a 15 percent discount instead of the 10 percent it received, and the quality class of the house should be reduced from 4.5 to 4.

Petitioner Van Peborgh restated that he believes the assessment was a subjective process that he disagreed with. He also said part of his driveway goes onto the adjoining property.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (view classification, slope of driveway and quality class) were not considered by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 125-462-03 be reduced to \$360,000 and

that the taxable value of the improvements be reduced to \$222,064 for a total taxable value of \$582,064. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-563E HEARING NO. LT-194 – HARRY M. & LYNN S. FLAGG, TR.
PARCEL NO. 125-511-04

A petition for Review of Assessed Valuation received from Harry M. and Lynn S. Flagg, Tr., protesting the taxable valuation on land and improvements located at 608 Doeskin Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. There is a reduction on this parcel.

Harry Flagg, Petitioner, was sworn, submitted photographs, Exhibit A, and testified that the Appraiser's personnel were very nice. He said his driveway has an 18 percent steepness and an awkward slope, which is too high. The driveway also comes down to a fire hydrant, which they have run into and which is an access issue. He requested a ten percent reduction for the slope of driveway and a ten percent reduction for the steepness of the driveway. He did not believe the \$50,000 reduction the suggested by the Assessor was enough.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. She further advised the Assessor is recommending lowering the view classification from V-4 to V-3.5 based on an inspection of the subject property, and the slope of the driveway would qualify for an additional 15 percent reduction. Appraiser Diezel dais the new land value she is recommending is \$405,000.

Petitioner Flagg disagreed with Appraiser Diezel's figures. He felt an additional five percent reduction for the driveway was warranted.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal (view classification and driveway slope), on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-511-04 be reduced to \$405,000 and that the taxable value of the improvements be upheld, for a total taxable value of \$629,203. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10:30 a.m. Chairman Fox temporarily left the meeting and Vice Chairman Allison assumed the gavel.

04-564E **HEARING NO. LT-488 – JOHN B. LUSK, ET AL.**
PARCEL NO. 125-523-06

A petition for Review of Assessed Valuation received from John B. Lusk, et al., protesting the taxable valuation on land and improvements located at 583 Fallen Leaf Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was present, but left before the hearing was called.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. She said she had talked to Mr. Lusk and he had a question regarding his view classification. Appraiser Diezel told him she would do a re-inspection of the view classification.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Chairman Fox absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-523-06 be upheld.

04-565E **HEARING NO. LT-733 – CHARLES S. & BARBARA J. ALLIO**
PARCEL NO. 125-223-30

A petition for Review of Assessed Valuation received from Charles S. and Barbara J. Allio, protesting the taxable valuation on land and improvements located at 811 Jeffrey Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

Petitioner was present, but left before the hearing was called.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the

Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. Appraiser Diezel said she had spoken to the Petitioner and he had asked for a review of their view classification, which she will do.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried with Chairman Fox absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-223-30 be upheld.

04-566E HEARING NO. LT-980 – MARJORIE K. SHULL
PARCEL NO. 125-134-09

A petition for Review of Assessed Valuation received from Marjorie K. Shull, protesting the taxable valuation on land and improvements located at 691 Tyner, Way Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called. She had submitted a letter, Exhibit A, which was reviewed by the Board. Member Sparks noted the letter questioned the rate of assessment increases, not any specific assessment concerns.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. Appraiser Diezel said the Petitioner requested a review of the property's view classification, which she will do.

The Vice Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Chairman Fox absent, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-134-09 be upheld.

11:00 a.m. Chairman Fox returned to the meeting and resumed the gavel.

04-567E HEARING NO. LT-1098 – ROLAND W. & DORIS T. WACKER, TR., - PARCEL NO. 125-142-04

A petition for Review of Assessed Valuation received from Roland W. and Doris T. Wacker, Tr., protesting the taxable valuation on land and improvements located at 812 Toni Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was present, but left before the hearing was called. He submitted a copy of the letter sent by the Assessor's Office notifying the Petitioner of today's hearing, Exhibit A.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-142-04 be upheld.

**04-568E HEARING NO. LT-184 – LARRY D. & DIANE H. HIGGINS
PARCEL NO. 125-491-05**

A petition for Review of Assessed Valuation received from Larry D. and Diane H. Higgins, protesting the taxable valuation on land and improvements located at 571 Alden Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDR and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

Larry Higgins, Petitioner, was sworn and submitted photographs, Exhibit A. Chairman Fox noted on the petition Mr. Higgins stated he did not know the value of his property or how much he paid for it. Petitioner Higgins said he still did not know the property value, but advised that he had purchased the property in October 1999 for

\$1,800,000. He wanted a reduction in the view classification. He said Appraiser Diezel had already re-assessed his view, but he disagreed with the classification.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. The current assessed value of the parcel is \$1,195,000. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. She reaffirmed the view rating and stated the subject parcel also received a 10 percent upward adjustment for large size.

Petitioner Higgins had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-491-05 be upheld.

04-569E HEARING NO. LT-149 – FRANK W. & BARBARA A. FITZPATRICK - PARCEL NO. 125-192-02

A petition for Review of Assessed Valuation received from Frank W. and Barbara A. Fitzpatrick, protesting the taxable valuation on land and improvements located at 817 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She advised that the Assessor is recommending a reduction in the subject's land value.

Frank Fitzpatrick, Petitioner, was sworn, submitted photographs, Exhibit A, and testified how gracious and professional Appraiser Diezel had been. Petitioner Fitzpatrick stated he still questioned the view classification, even though it has been reduced. He also said there is a lot of road noise, particularly the motorcycles, because his property backs up to the Mt. Rose Highway; and although he does receive a ten percent reduction for that, he felt a larger reduction was warranted. Petitioner Fitzpatrick further stated he believes he is due an additional reduction based on the percent of coverage he is allowed by Tahoe Regional Planning Agency (TRPA).

Member Schmidt said he supported Mr. Fitzpatrick in requesting a greater reduction due to traffic duress.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the

Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. Appraiser Diezel said that, based on an inspection of the subject property, the Assessor is recommending the view classification be changed from a V-6 to a V-5. She further explained that the subject is receiving a ten percent downward adjustment for traffic, but also received a five percent upward adjustment for the lot size. The Appraiser stated the Assessor's Office would review the view classification and quality class on subject, but they do not have any market data yet to determine the impact of the TRPA restrictions.

Petitioner Fitzpatrick had no rebuttal.

The Chairman closed the hearing.

Chairman Fox questioned the ten percent reduction for road noise, stating he believed the traffic noise may warrant a greater reduction. Member Allison said that ten percent is what the Board has been giving to all traffic noise. Member Schmidt also agreed that ten percent is what has been given for road noise and wouldn't want to change it just for this Petitioner, but he thought that the five percent for large lot size might be taken off since that part of the property is closer to the highway and is not usable.

Based on the FINDINGS that adverse factors (view, traffic and lot size adjustment) were not considered by the Assessor, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-192-02 be reduced to \$540,000 and that the taxable value of the improvements be upheld for a total taxable value of \$898,766. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-570E HEARING NO. LT-145 – LARRY W. & DIANE E. ERCOLINI
PARCEL NO. 125-174-03

A petition for Review of Assessed Valuation received from Larry W. and Diane E. Ercolini, Tr., protesting the taxable valuation on land and improvements located at 966 Dorsey Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 8, and oriented the Board as to the location of subject property. She advised the Assessor's Office has a recommendation for a reduction on the subject property's land value.

Larry Ercolini, Petitioner, was sworn and testified that the Assessor's Office staff is very professional in their work. He agreed with the reduction, but stated he believed his driveway steepness (18 percent) should warrant a further reduction.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. Appraiser Diezel advised that an inspection had been conducted on the subject property; and, as a result, the Assessor is recommending the following corrections to the land value: the ten percent upward adjustment for the mountain view be removed, the driveway is steep and downward sloping and would qualify for a ten percent downward adjustment, and the small size of the lot warrants a ten percent downward adjustment. Appraiser Diezel noted there was also a correction to the square footage of the improvements on the subject parcel and there are structural problems (water damage) with the house. She said the Assessor's Office would like to make a reduction on the improvement value based on obsolescence and reduce the improvements to \$25,000 and the land value to \$152,000.

Petitioner Ercolini stated the structural problems were the result of water damage and they would need to replace the structure.

The Chairman closed the hearing.

Based on the FINDINGS that obsolescence should be applied to the subject property's improvements and that adverse factors such as driveway steepness, small size lot and no view, were not given enough weight, and as recommended by the Assessor, on motion by Member Obester, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 125-174-03 be reduced to \$152,000 and that the taxable value of the improvements be reduced to \$25,000 for a total taxable value of \$177,000. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-571E HEARING NO. LT-173 – M. TREVOR SMITH
PARCEL NO. 125-451-02

A petition for Review of Assessed Valuation received from M. Trevor Smith, protesting the taxable valuation on land and improvements located at 639 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 20, and oriented the Board as to the location of subject property. She advised the Assessor's Office is recommending a reduction in the land value based on a change in the view classification from V-3 to V-2 and a 20 percent downward adjustment for the sewer easement under the house. The new land value would be \$220,000. She further stated she has spoken to the Petitioner and he agreed with the reductions.

Petitioner was not present, but submitted documents, Exhibit A, which were reviewed by the Board.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error (view classification and easement reduction) in the appraisal, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-451-02 be reduced to \$220,000 and that the taxable value of the improvements be upheld for a total taxable value of \$477,449. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-572E HEARING NO. LT-200 – JOHN L. & ANNE H. ISAACSON, TR.
PARCEL NO. 125-531-15

A petition for Review of Assessed Valuation received from John L. and Anne H. Isaacson, Tr., protesting the taxable valuation on land and improvements located at 580 Fallen Leaf Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. She stated the Assessor has a recommendation on this parcel.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Member Obester read the letter into the record, which indicated the Petitioner was in agreement with the Assessor's recommended reductions.

Appraiser Diezel explained the recommendation is based on an inspection of the subject property. She stated it was determined that the heating system was gas forced air and not baseboard hot water and that the base lot value should receive a ten percent downward adjustment for the up sloping, angled driveway. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal of the type of heating, sloping and angled driveway, on motion by Member Sparks, seconded by

Member Obester, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 125-531-15 be reduced to \$360,000 and that the taxable value of the improvements be reduced to \$345,456 for a total taxable value of \$705,456. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-573E HEARING NO. LT-956 – DOROTHY M. CORNEILLE, TR.
PARCEL NO. 125-151-06

A petition for Review of Assessed Valuation received from Dorothy M. Corneille, Tr., protesting the taxable valuation on land and improvements located at 865 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. Appraiser Diezel said the Petitioner had questioned the view classification in her letter, and the Assessor's Office will contact her to re-assess.

The Petitioner was not present, but had submitted a letter, Exhibit A, which the Board reviewed.

The Chairman closed the hearing.

Member Schmidt noted the letter questioned the quality class and asked the Assessor to inspect that also when they re-assess the view classification.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-151-06 be upheld.

04-574E HEARING NO. LT-141 – JOHN HASKETT
PARCEL NO. 125-152-06

A petition for Review of Assessed Valuation received from John Haskett, protesting the taxable valuation on land and improvements located at 888 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject

property. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The letter stated they are paying taxes under protest and they protest the valuation methods. Member Sparks asked Appraiser Diezel if the Assessor's Office used any inappropriate assessment methodology to assess this property. Appraiser Diezel stated they did not.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-152-06 be upheld.

04-575E HEARING NO. LT-937 – CAROL J. DOLAN, ET AL.
PARCEL NO. 125-201-05

A petition for Review of Assessed Valuation received from Carol J. Dolan, et al., protesting the taxable valuation on land and improvements located at 814 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. The Appraiser advised the Assessor has a recommendation for a reduction on this parcel and explained that in the reappraisal the property should have received a ten percent downward adjustment for size.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board and indicated the Petitioner's agreement with Appraiser's Diezel's proposed reduction. The Petitioner's letter also complimented the Assessor's Office staff.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal (ten percent downward adjustment warranted for lot size), on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-201-05 be reduced to \$360,000 and that the taxable value of the improvements be upheld for a total taxable value of \$475,028. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-576E HEARING NO. LT-188 – DENNIS W. & CAROLE J. HAVILL
PARCEL NO. 125-492-13

A petition for Review of Assessed Valuation received from Dennis W. and Carole J. Havill, protesting the taxable valuation on land and improvements located at 563 Len Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII. Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She further stated they would verify the correct view classification and check on the question concerning the driveway on inspection, noting that the subject did receive a five percent downward adjustment for the driveway.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Chairman Fox noted the letter requested a refund of taxes paid. He stated this is not a tax board and therefore cannot refund taxes.

Member Obester asked Appraiser Diezel if the Assessor's Office would contact the Petitioners if they requested such in a letter. Appraiser Diezel said they would.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-492-13 be upheld.

04-578E HEARING NO. LT-1269 – BARBARA M. NEWELL
PARCEL NO. 122-132-18

A petition for Review of Assessed Valuation received from Barbara M. Newell, protesting the taxable valuation on land and improvements located at 525 Dale Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's

total taxable value does not exceed fair market value, and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The letter questioned the meeting notice time and the view classification. Appraiser Diezel said she would follow-up on the Petitioner's questions regarding the view classification.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-132-18 be upheld.

04-579E HEARING NO. LT-1129 - WALTER AND JANE GRUENINGER
TR. - PARCEL NO. 122-133-07

A petition for Review of Assessed Valuation received from Walter and June Grueninger, protesting the taxable valuation on land and improvements located at 554 Dale Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The letter questioned the view classification and the square footage of the improvements. Chairman Fox asked the Appraiser to contact the Petitioner. Appraiser Diezel said they would contact her to re-evaluate the property's view classification.

The Chairman closed the hearing.

Member Schmidt said the letter noted power lines and a steeply sloping driveway on the property. He asked the Assessor's Office to review those concerns when they check on the view.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-133-07 be upheld.

04-580E HEARING NO. LT-882 – ARTHUR THOMAS
PARCEL NO. 125-134-21

A petition for Review of Assessed Valuation received from Arthur Thomas, protesting the taxable valuation on land and improvements located at 683 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She advised that the Assessor is recommending a reduction on the subject's improvement value after an on-site inspection where they learned the correct number of bathrooms was two and the correct number of fixtures was ten. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Member Sparks said the letter asked about a reduction based on proximity to the Mt. Rose Highway. Appraiser Diezel said the subject property is receiving a ten percent reduction for traffic. The Petitioner also questioned the assessment evaluation methods used between Washoe and Douglas Counties. Appraiser Diezel stated the assessments are made based only on Washoe County properties. Member Sparks further asked if the Assessor's Office used approved assessment methods. Appraiser Diezel stated they used State approved appraisal methods.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal (fixture count), on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-134-21 be upheld and that the improvements be reduced to \$124,820 for a total taxable value of \$574,820. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-581E HEARING NO. LT-132 – CARMEN & MARISA G. ACAMPORA
TR. PARCEL NO. 125-141-06

A petition for Review of Assessed Valuation received from Carmen and Marisa G. Acampora, protesting the taxable valuation on land and improvements located at 429 Valerie Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's

total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The letter requested that all hearings be included into their appeal. Chairman Fox noted that only the information heard today in the subject hearing will be included. Member Obester noted that the Petitioner's letter notes they believe their market value is \$1,000,000, but the Assessor has an assessed value of \$864,427. Member Schmidt stated the letter questions the equalization methods, but does not supply any documentation to support the claim.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-141-06 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-582E HEARING NO. LT-1196 – SAM PERRY
PARCEL NO. 125-152-03

A petition for Review of Assessed Valuation received from Sam Perry, protesting the taxable valuation on land and improvements located at 894 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated vacant.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The letter was a standard complaint letter about taxes and the notice to the Petitioner of the hearing, which Chairman Fox said had been reviewed and legal counsel had advised the notice was adequate. The Petitioner also questioned the assessment methods and the use of teardowns. Chairman Fox said that is a legal question that will be decided in the courts. The Petitioner questioned the view rating on their property. Chairman Fox asked the Assessor to call the Petitioner to set up an appointment to conduct a reassessment. The Appraiser said they would.

Member Schmidt noted the letter mentioned a possible illegal encroachment of a neighbor's house that would impact their value. Member Schmidt said this is an enforcement issue, not one that is within the purview of this Board. Additionally the Petitioner did not offer evidence that this adversely affects his property value.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-152-03 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-583E HEARING NO. LT-1195 – SAM PERRY
PARCEL NO. 125-152-04

A petition for Review of Assessed Valuation received from Sam Perry, protesting the taxable valuation on land and improvements located at 892 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The letter was the identical letter as for the previous hearing.

The Chairman closed the hearing.

Member Obester noted that this parcel is being given a \$37,000 reduction for its IPES score.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded

by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-152-04 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-584E HEARING NO. LT-1006 – ARTHUR F. & BARBARA M. HAWORTH - PARCEL NO. 125-164-02

A petition for Review of Assessed Valuation received from Arthur F. and Barbara M. Haworth, protesting the taxable valuation on land and improvements located at 906 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. The Appraiser reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox noted the letter had many allegations, but had no evidence to substantiate those allegations. The letter questioned the parcel's view classification. Member Sparks said the Petitioner noted because of the lot's elevation, the property is subject to excessive snow.

Member Schmidt asked about the view classifications on the adjacent parcels. Appraiser Diezel stated on one side the view was V-3 and on the other it was V-6, so the subject parcel of V-4 is within reason. The view classifications are in \$100,000 increments. Member Allison said the Petitioner also questioned the improvements listed, such as a spa and intercom. Member Allison then asked the Assessor's staff to contact the Petitioner to review all the concerns. Appraiser Diezel said she would.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-164-02 be upheld.

A petition for Review of Assessed Valuation received from Wilson J. and Jenny K. Eral, protesting the taxable valuation on land and improvements located at 816 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox said the letter requested that all of the facts and testimony from all of the Incline Village hearings be incorporated into their hearing. Chairman Fox restated that only the information heard today concerning the subject property would be included today. The letter said the meeting notice was not adequate, and he stated that Legal Counsel has advised the Assessor has met the requirements. The letter further complained that the fifty-page packet of information they had received from the Assessor's Office was inadequate to substantiate the assessed values and indicated the Assessor used an "arbitrary" method to assign view classifications.

Member Schmidt stated the Petitioner alleged they have an irregular shaped lot and asked about access to the subject property. He was told the subject did receive a reduction for lot access.

Chairman Fox stated the Petitioner also asked for a tax refund, which the Board cannot do.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-201-04 be upheld.

It was further ordered that the Petitioner's request to incorporate, by reference, into the record all facts and testimony presented in the appeals of Incline Village properties in both 2003/04 and 2004/05 assessments be denied. It was noted it is not this Board's intent that any testimony or facts presented, except for the specific property, be a part of the subject record.

04-586E HEARING NO. LT-806 – DALE L. & CAROL L. STATLEY
PARCEL NO. 125-222-04

A petition for Review of Assessed Valuation received from Dale L. and Carol L. Statley, protesting the taxable valuation on land and improvements located at 843 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-MDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The Petitioner pointed out the traffic and noise from the Mt. Rose Highway. Chairman Fox noted the subject property does receive a ten percent reduction for traffic.

The Chairman closed the hearing.

Member Schmidt commented about the increasing traffic and duress properties receive because of the Mt. Rose Highway. He would like the Assessor's Office to re-evaluate this situation for future assessments.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-222-04 be upheld.

04-587E HEARING NO. LT-160 – KENNETH & PATRICIA FOCHT
PARCEL NO. 125-413-10

A petition for Review of Assessed Valuation received from Kenneth and Patricia Focht, protesting the taxable valuation on land and improvements located at 948 Jupiter Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She stated that based on an inspection, the Assessor is recommending the view classification be reduced from V-4 to V-3 and that a five percent downward adjustment be applied because the Mt. Rose Highway is visible from the subject parcel. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox read part of the Petitioner's letter, which stated they believe the taxes are too high and that tax assessments are unfairly applied, but they will accept the recommended reduction.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (view classification) were not considered by the Assessor, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-413-10 be reduced to \$380,000 and that the taxable value of the improvements be upheld for a total taxable value of \$704,732. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-588E HEARING NO. LT-745 – GERALD D. SMITH, ET AL.
PARCEL NO. 125-511-23

A petition for Review of Assessed Valuation received from Gerald D. Smith, et al., protesting the taxable valuation on land and improvements located at 607 Fallen Leaf Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She advised two Appraisers have inspected the subject property, and they are recommending a reduction in the improvement value based on correcting the quality class to 4.0. Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. In the letter, the Petitioner stated they had an appraisal done which determined a land value of \$50,000 less than the Assessor's land value. A copy of the appraisal was not included. The Petitioner further stated they would accept the recommendations from Assessor's Office.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error (building quality classification) in the appraisal, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-511-23 be upheld and that the taxable value of the improvements be reduced to \$283,976 for a total taxable value of \$783,976. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-589E HEARING NO. LT-199 – JACK R. FINEGAN, TR.
PARCEL NO. 125-531-13

A petition for Review of Assessed Valuation received from Jack R. Finegan, Tr., protesting the taxable valuation on land and improvements located at 584 Fallen Leaf Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. She advised that, based on a physical inspection of the subject property, the Assessor is recommending both the land and improvement values be reduced to reflect the correct view classification and the correct quality class of the improvements. Appraiser Diezel noted the Assessor's total taxable value does not exceed fair market value, and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. In the letter, the Petitioner agreed with the Assessor's recommended reduction, but also requested a refund of a portion of past property taxes. Chairman Fox point out that the Board has no jurisdiction concerning refunds.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land on Assessor's Parcel No. 125-531-13 be reduced to \$450,000 and that the taxable value of the improvements be reduced to \$482,331 for a total taxable value of \$932,331. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-590E HEARING NO. LT-29 – PAUL GUTTMAN, JR, MD, TR.
PARCEL NO. 122-132-16

A petition for Review of Assessed Valuation received from Paul Guttman, Jr., MD, Tr., protesting the taxable valuation on land and improvements located at 535 Dale Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, disputing the view classification on the subject property, which was reviewed by the Board.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-132-16 be upheld.

04-591E HEARING NO. LT-955 – HARLAN O. & BARBARA R. HALL
PARCEL NO. 125-142-05

A petition for Review of Assessed Valuation received from Harlan O. and Barbara R. Hall, protesting the taxable valuation on land and improvements located at 810 Toni Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The Petitioner listed five concerns in the letter, including small lot, IPES score, adjoining lots having a larger percentage of land use, irregular shaped lot, view classification.

Appraiser Diezel stated that the improvement assessment amount only reflects a 30 percent completion figure. She further said the Petitioner tore down the previous house and left the garage.

Member Schmidt noted the question of the view classification and asked Appraiser Diezel if a view re-assessment would be possible. She said it would.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-142-05 be upheld.

04-592E HEARING NO. LT-1124 - ROBERT C. AND SHARILYN H. THORELL - PARCEL NO. 125-442-09

A petition for Review of Assessed Valuation received from Robert C. and Sharilyn H. Thorell, protesting the taxable valuation on land and improvements located at 994 Lunar Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Member Sparks recused himself from the hearing, as he is a friend of the Petitioners.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. The Appraiser advised she has talked to the Petitioner regarding the view classification and will review it for them. She then reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Member Obester noted the letter said that they are no longer questioning the value of the building, but that they are questioning the value of the land. The Petitioner contended that higher elevation properties sell for less than lower elevation properties. The Board offered that high elevations allow better views, less traffic and pollution.

Member Schmidt asked Appraiser Diezel to explain how the land value was arrived at for this parcel. She stated that the base lot value for a view 4.5 in this area is \$550,000 and that there was a 10 percent discount on this property for the steep driveway. Chairman Fox asked Appraiser Diezel if she was going to reassess the property's view, and she stated she would.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks having recused himself, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-442-09 be upheld.

**04-593E HEARING NO. LT-1126 - TODD A. & JANET H. LOWE
PARCEL NO. 125-503-01**

A petition for Review of Assessed Valuation received from Todd A. and Janet H. Lowe, protesting the taxable valuation on land and improvements located at 555

Valley Drive, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The Board also reviewed the reasons for the appeal on the petition form. The Petitioner requested a continuance of the hearing. Chairman Fox said that no appeals could be rescheduled given the large number of appeals and the Legislative mandate to complete the hearings before the end of February.

Member Schmidt questioned the additional five percent premium on the land value. Appraiser Diezel stated it was a downward sloping lot, but it backs up to forest land. She said they feel it is a reasonable adjustment.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-503-01 be upheld.

**04-594E HEARING NO. LT-721 – JOHN R. & LORRAINE A. SHERRIFF,
TR. - PARCEL NO. 125-152-12**

A petition for Review of Assessed Valuation received from John R. and Lorraine A. Sherriff, Tr., protesting the taxable valuation on land and improvements located at 868 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. The Petitioner questioned the view classification and access. Appraiser Diezel advised that the subject property currently receives a five percent reduction for the slope of the driveway and that she will re-evaluate the view classification on this property. Member Sparks noted that the Petitioner's letter included

copies of letters from various governmental entities substantiating his claim of very steep access to his property. Member Allison said the letter stated the grade of the driveway is 19 percent. Appraiser Diezel stated the Assessor's Office would be agreeable to an additional reduction based on the slope of the driveway.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (access) were not considered by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-152-12 be reduced to \$510,000 and that the taxable value of the improvements be upheld for a total taxable value of \$981,661. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-595E HEARING NO. LT-805 – JOHN C. & PHYLLIS H. ROGERS, TR. -
PARCEL NO. 125-201-06

A petition for Review of Assessed Valuation received from John C. and Phyllis H. Rogers, Tr., protesting the taxable valuation on land and improvements located at 812 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Appraiser Diezel reviewed the Petitioner's letter, which requested reductions based on access and traffic noise from the Mt. Rose Highway. Appraiser Diezel suggested a five percent reduction for proximity to the Mt. Rose Highway and a 20 percent reduction for the private drive and its slope. She also said she would review the subject's view classification.

Member Allison stated that giving the Petitioner more than 15 percent would put it out of equalization with other adjoining parcels using the same driveway and hearing the same traffic.

The Chairman closed the hearing.

Member Allison noted that the Petitioner also requested a continuance because he will be out of town on the day of the hearing. Member Allison said that, because of the volume of appeals before the Board, no rescheduling of hearings was possible.

Based on the FINDINGS that adverse factors (assess) were not considered by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-201-06 be reduced to \$510,000 and that the taxable value of the improvements be upheld for a total taxable value of \$721,058. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-596E HEARING NO. LT-888 – DOROTHY M. MILNER, ET AL., TR.
PARCEL NO. 125-221-15

A petition for Review of Assessed Valuation received from Dorothy M. Milner, et al, Tr., protesting the taxable valuation on land and improvements located at 832 Jennifer Street, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 040-HDS and designated 020/single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox noted the Petitioner's letter stated their driveway is steep, but no supporting documents were presented. Member Schmidt suggested a five percent reduction based on the small size of the lot. Member Allison noted the size of the dwelling, which was felt to be sufficient.

The Chairman closed the hearing.

Member Schmidt pointed out that the Petitioner could contact the Assessor's Office to have them evaluate the driveway for possible reduction since no supporting documentation was included in the Petitioner's letter.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-221-15 be upheld.

04-597E HEARING NO. LT-726 – IRWIN & SONDR A FOX, TR.
PARCEL NO. 125-172-12

A petition for Review of Assessed Valuation received from Irwin and Sondra Fox, Tr., protesting the taxable valuation on land and improvements located at

976 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. She advised that the Assessor's Office has given the subject property a 20 percent access reduction and a 5 percent upward adjustment for lot size. Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value, and she stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board. Chairman Fox read parts of the letter, noting the Petitioner feels the City should plow his driveway. The Chairman also noted the letter asked that the hearing be rescheduled, but the Board was unable to accommodate any rescheduling because of the large volume of appeals. The Petitioner's letter also commented on a deplorable overhang from the adjoining property.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-172-12 be upheld.

04-598E HEARING NO. LT-719A – RONDA D. TYCER, TR.
PARCEL NO. 125-142-03

A petition for Review of Assessed Valuation received from Ronda D. Tycer, Tr., protesting the taxable valuation on land and improvements located at 814 Toni Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Diezel stated the Assessor would stand on their written record and Exhibits I, II, III, IV, and XII.

Ronda Tycer, Petitioner, was sworn and submitted photographs and documents, Exhibit A, which was reviewed by the Board. Since the Petitioner had not been present at the beginning of the meeting, Chairman Fox explained the Board's procedures and jurisdiction. Petitioner Tycer testified that she was questioning the assessment of the land and building. She stated the square footage of the home is incorrect based on their architect's drawings. Chairman Fox said architects use a different calculation system than the Assessor's Office. The Assessor's Office must use the

Marshall-Swift methods, but the Appraiser would come and measure the home for her to make sure it is correct. The Petitioner also questioned the depreciation on her house. Chairman Fox asked if they had done any remodeling. She stated they had done significant remodeling. Chairman Fox stated that would be why the house value had gone up. The building year is changed on a weighted average whenever significant remodeling occurs.

Petitioner Tycer stated she is also protesting the land value based on the view classification. She stated she had a reduction in the view classification last year, but she still disagrees with the Assessor. Member Allison suggested a re-inspection of the view. The Petitioner also questioned the way view classifications are decided, stating the method changes from year to year. Chairman Fox stated that the Board is only hearing data as it pertains to 2004/2005 values and makes no presumptions about the previous years. Petitioner Tycer stated she thinks there are inconsistencies in view classification.

Appraiser Diezel stated they would be happy to reassess the property's view, the square footage, and the calculation of the house's weighted average year.

Member Schmidt noted that the view classification questions are valid based on what the Petitioners can actually see from the inside of their house. Appraiser Diezel said they take individual photos, and give an overall view assessment based on both inside and outside views.

Member Obester asked about the house quality class. Appraiser Diezel said it was thoroughly remodeled including adding a dance studio.

Petitioner Tycer said she still had questions about the building depreciation methods. Chairman Fox advised her to contact the Assessor's Office for assistance.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, with Member Schmidt abstaining, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 125-142-03 be upheld.

04-599E HEARING NO. LT-31 – WILLIAM F. & PENELOPE A. DUPIN,
TR. - PARCEL NO. 122-135-20

A petition for Review of Assessed Valuation received from William F. and Penelope A. Dupin, Tr., protesting the taxable valuation on land and improvements located at 545 Cole Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036 and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present and submitted nothing to substantiate the appeal. Chairman Fox noted the Petitioner indicated he purchased the subject property for \$893,000 in 1996, and the Assessor's current total taxable value of the subject is \$867,591.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-135-20 be upheld.

04-600E HEARING NO. LT-218 – CINDY HIPWELL, TR.
PARCEL NO. 125-155-09

A petition for Review of Assessed Valuation received from Cindy Hipwell, Tr., protesting the taxable valuation on land and improvements located at 831 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 039-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She advised the Assessor is recommending a ten percent downward adjustment on the subject's land value based on the parcel size. Appraiser Diezel said that the Petitioner was in agreement with the recommendation. She stated the Assessor would stand on their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (parcel size) were not considered by the Assessor, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-155-09 be reduced to \$425,000 and that the taxable value of the improvements be upheld for a total taxable value of \$542,409. The Board also made the findings that with this adjustment, the land and

improvements are valued correctly and the total taxable value does not exceed full cash value.

04-601E HEARING NO. LT-161 – ANTONIO & LILA M. FOTI
PARCEL NO. 125-421-09

A petition for Review of Assessed Valuation received from Antonio and Lila M. Foti, protesting the taxable valuation on land and improvements located at 1054 Apollo Court, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She advised the Assessor is recommending a reduction in the subject's land value to reclassify the view rating from V4 to V3 based on a physical inspection of the property. She further stated the property owner has been contacted, but he is not in agreement with the recommendation. Appraiser Diezel stated the Assessor would like to include their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error (view classification) in the appraisal, on motion by Member Sparks, seconded by Member Allsion, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-421-09 be reduced to \$400,000 and that the taxable value of the improvements be upheld for a total taxable value of \$506,062. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-602E HEARING NO. LT-740 – DAVID G. FONG, TR.
PARCEL NO. 125-413-08

A petition for Review of Assessed Valuation received from David G. Fong, Tr., protesting the taxable valuation on land and improvements located at 952 Apollo Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 042-MDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. She advised that the Assessor is recommending reductions in both the improvement and land values of the subject based on a physical inspection. She stated it has been determined that the correct view classification should be V-3.5 instead of V-5, and corrections to the building data square footage have been made. The Appraiser stated she has not been able to contact the Petitioner regarding the recommendation.

Appraiser Diezel stated the Assessor would include their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error (view classification and building data) in the appraisal, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, with Member Obester voting “no,” it was ordered that the taxable value of land on Assessor's Parcel No. 125-413-08 be reduced to \$427,500 and that the taxable value of the improvements be reduced to \$157,877 for a total taxable value of \$585,377. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**04-603E HEARING NO. LT-185 – CRAIG A. & KATHRYN H. GREGORY,
TR. - PARCEL NO. 125-491-12**

A petition for Review of Assessed Valuation received from Craig A. and Kathryn H. Gregory, Tr., protesting the taxable valuation on land and improvements located at 579 Tyner Way, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 036-HDS and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor’s Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property. She advised that, based on an inspection of the subject property, the Assessor is recommending that the view classification be changed from V-5 to V-4.5, which would reduce the land value to \$550,000. Appraiser Diezel stated the Assessor would like to include their written record and Exhibits I, II, III, IV, IVa, and XII.

The Petitioner was not present.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error (view classification) in the appraisal, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 125-491-12 be reduced to \$550,000 and that the taxable value of the improvements be upheld for a total taxable value of \$802,337. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-604E HEARING NOS. LT-744, -959, -191, -192, -898, -202, -1149, -720, -1047, -452, -15, -18, -621, -20, -849, -1044, -732, -1066, -1276, -171, -742, -176, -180, -186, -195, -196, -1, -619, -618, -848, -17, -476, -27, -28, -1209, -474, -1018, -166, -871, -1245, -179, -698, -1090

Chairman Fox stated there are no more Petitioners and the Board has no other letters or information on the remaining petitions. He asked if anyone finds any reason why the remaining appeals are not similar enough to be consolidated and heard together.

Member Sparks remarked that these petitions are all the same, and that they have “unknown” placed under their opinion of land value, building value and total, and they say the purchase price and purchase date are unknown. All the petitions state the reason for the appeal is that the valuation methods are not supported by statute or regulation, and the Petitioners indicate they will be supplying additional documentation or evidence at the hearings, but nothing else has been received.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the remaining petitions be consolidated and heard together.

Chairman Fox asked the Clerk of the Board to call the remaining hearings by hearing number, property owner's name and parcel number for consolidation.

Appraiser Diezel, duly sworn, stated the Assessor would stand on their written record submitted and contained in Exhibits I, II, III, IV, IVa, and XII.

Chairman Fox asked if there was anyone present to speak concerning any of these properties. There was no response.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor’s Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Assessor’s Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
LT-744	Dan and Patricia Beadle	125-482-22
LT-959	Delbert C. Case	125-492-27
LT-898	Toshio and Kyoko Ogino	125-521-07
LT-192	Robert R. and Karlene N. Dickey Tr.	125-503-05
LT-191	Stan and Linda J. Joseph, Tr.	125-502-02
LT-202	Owen A. and Gail F. Hill	125-541-19
LT-1149	Raymond J. and Donaleen Geib, Tr.	125-541-20

LT-720	Marilyn A. Von Wening, Tr.	125-143-03
LT-1047	Roy and Sandra M. Graham	125-463-04
LT-452	William D. and Nellie L. Engeberg	125-511-05
LT-15	Giuseppe J. and Vanda G. Alicastro, Tr., etal.	122-111-08
LT-18	Alfred A. and Josephine C. Sperry, TR	122-113-05
LT-621	Smythe Tahoe, LLC	122-114-05
LT-20	James Cesano, Jr. Tr., etal.	122-115-01
LT-849	Douglas N. and Theresa M. Smith	122-133-10
LT-1044	Frank C. Maguire, et al.	125-134-04
LT-732	David M. and Nancy J. Ziarnowski, Tr.	125-222-05
LT-1066	Brian and Judy W. Gunning	125-231-03
LT-1276	Richard T. and Elinor B. Bristol	125-413-13
LT-171	Vincent and Suzanne Y. L. Lee, Tr.	125-441-02
LT-742	Dent N. Hand, Jr., Tr.	125-462-01
LT-176	Lewis W. and Merdene D. Hess, Tr.	125-463-05
LT-180	James D. Cuthbert	125-481-07
LT-186	Lawrence E. and Moira J. Lieberman	125-491-14
LT-195	Gerald Nerlove, Tr.	125-511-11
LT-196	Robert J. and Mary L. Maclaren, Tr.	125-511-13
LT-1	Wade and Nancy Hampton	122-052-10
LT-619	Stephen and Cherrie M. Szatkowski Tr.	122-111-09
LT-618	F. Ned and Lynn S. Masin, Tr.	122-111-05
LT-848	Zach and Cindy Taylor	122-111-12
LT-17	Duane U. Deverill, Tr.	122-114-06
LT-476	Timothy J. and Shanin V. Lampe	122-115-02
LT-27	John P. and Mary V. Uphoff	122-132-07
LT-28	Newt L., MD, and Ellen D. Hardgrave	122-132-12
LT-1209	Wolfgang and Elke Uhlig, Tr.	125-131-03
LT-474	Thomas A., III, and Candice M. Ballantyne, Tr.	125-152-02
LT-1018	Michael M. and Katherine C. Holland	125-156-04
LT-166	Robert S. and Marilyn J. Pearson, Tr.	125-231-01
LT-871	Thomas M. Head, Jr.	122-132-01
LT-1245	Paul Ferrell	122-132-06
LT-179	William E. and Linda D. Florentine	125-471-05
LT-698	James R. and Claribel J. Sweeney, Tr.	125-131-16
LT-1090	Walter Simon	125-162-01

PUBLIC COMMENTS

There was no response to the call for public comments.

2:07 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 24, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy, Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

TUESDAY

9:00 A.M.

FEBRUARY 24, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Jon Obester, Member
Gary Schmidt, Member
Steven Sparks, Member

Nancy Parent, Chief Deputy Clerk
Peter Simeoni, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on February 20, 2004 in the South Conference Room (Room B) of the Washoe County District Health Department Building, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the Petitioners:

Hearing No. 43, Frances F. Beckett, Tr., Parcel No. 009-612-18
Hearing No. 26, Martin P. Dedic, Tr., Parcel No. 009-623-12
Hearing No. 91, Boris M. and Mindy B. Lokshin Tr., Parcel No. 009-082-05
Hearing No. 93, Matthew D. and Krista L. Waddington, Parcel No., 009-082-09
Hearing No. 160, Roy S. and Mary Ann Bordenkircher, Parcel No. 009-091-02
Hearing No. 175, Charles E. and Julie A. Cooper, Parcel No. 009-092-11
Hearing No. 161, Richard A. and Susan K. Schweickert Tr., Parcel No. 009-433-19
Hearing No. 162, L. Anthony and Kathryn J. White, Parcel No. 009-433-28
Hearing No. 51, Robert J. and Peggy A. Hayes, Parcel No. 009-471-16
Hearing No. 38, Raymond P. and Patricia M. Miller Tr., Parcel No. 009-492-02
Hearing No. 119, Michael H. and Karen J. Traynor, Parcel No. 009-571-03
Hearing No. 118, Kenneth I. and Joan C. Farber, Tr., Parcel No. 009-572-15

DISCUSSION AND ACTION - CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board would first consider the hearings where Petitioners are present, then consider any petitions where a letter or additional

information was submitted, and then any remaining hearings that assert the same or similar reason(s) for the appeal would be consolidated.

DISCUSSION AND ACTION - DIRECTION TO ASSESSOR STAFF
- REVIEW OF TRAFFIC ADJUSTMENTS ALONG THE MT.
ROSE HIGHWAY AND STATE ROUTE 28

Member Schmidt stated that currently the duress assigned by the Assessor's Office for traffic impacts to properties on the Mt. Rose Highway is ten percent and five percent for properties on State Route 28, but that he would like to have the Assessor's Office check for equalization between the two. Member Sparks requested that the information include more than traffic and noise level information. Member Schmidt suggested that the information be gathered from information readily available in the County with special focus on Incline Village. Duress factors could include air quality, ingress, egress and pedestrian traffic. Member Sparks said the information also needs to be market supported for the relationship between traffic and prices paid in traffic corridors. On motion by Member Schmidt, second by Member Sparks, which motion duly carried with Member Obester voting "no," it was so ordered.

04-605E ROLL CHANGE REQUESTS - INCREASES

9:00 a.m. This was the time set for the Board to act on increases of assessed valuation, pursuant to notification being given to the affected property owners by certified mail on January 23, 2004 and providing an opportunity for anyone to appear concerning the increases.

Chairman Fox opened the hearing by calling on anyone wishing to speak concerning the increases. There was no response, and the hearing was closed.

Following discussion, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, Chairman Fox ordered that Roll Change Requests Nos. 1 through 5, resulting in increases as placed on file with the Clerk be approved.

* * * * * * * * * * *

Chairman Fox informed the people in attendance that the Board wanted to give each Petitioner every opportunity to present information concerning the value of their property. He explained that the petition filed was for a review of the assessed valuation to the Washoe County Board of Equalization. He said a property's value would be the only subject for discussion because that is the Board's only jurisdiction. He advised the Board could not make any decisions regarding taxes or tax rates. He stated that the discussions are limited to roll year 2004/2005, unless there is a supplemental bill presented. The Chairman further explained that it is the property owner's burden to show that the Assessor has valued their property wrong or that the taxable value exceeds the market value.

9:00 A.M. - BLOCK

04-606E HEARING NO. 84 – JUNE B. LUCAS, TR.
PARCEL NO. 009-581-09

A petition for Review of Assessed Valuation received from June B. Lucas, Tr., protesting the taxable valuation on land and improvements located at 3079 Bramble Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Patricia Regan, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

June Lucas, Petitioner, was sworn and testified that she is concerned about the rate of increase in the cost of housing in her area and that the taxes are derived from those sale amounts, which she thinks is unfair. Chairman Fox suggested she take her concerns to the Nevada Legislature, the body that decides how property values are determined. The Petitioner further stated that she has a condominium in Honolulu; and that, if a property owner lives in their property and is a senior citizen, they receive a discount on their property taxes. Again, Chairman Fox stated she needed to talk to the Nevada Legislature.

Appraiser Regan reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Regan stated the Assessor would stand on their written presentation and Exhibit III.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's exhibit, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of land and improvements on Parcel No. 009-581-09 be upheld.

04-607E HEARING NO. 53 – CAROLYN K. JOHNSON, TR.
PARCEL NO. 009-581-10

A petition for Review of Assessed Valuation received from Carolyn K. Johnson, Tr., protesting the taxable valuation on land and improvements located at 3085 Bramble Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Patricia Regan, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

Carolyn Johnson, Petitioner, was sworn and testified that she is against the rising rate of taxes. She is retired and is not going to sell her home, so she is protesting the rising rate of the property taxes. Chairman Fox asked about the value of her home and she said that she thought it was fair, but questioned the value of the land.

Appraiser Regan reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Regan stated the Assessor would stand on their written presentation and Exhibit III. She further stated that the subject property is being assessed at \$97 per square foot, the comparables range from \$143 to \$186 per square foot, and all the sales are the same size and are Lewis homes.

Member Schmidt asked about the quality class on the comparable improved sales on Exhibit III, and the Petitioner noted there had been extensive remodeling in the kitchen on sale IS-4. He further stated he wondered if there had been an increase in the assessment on that property. Appraiser Regan noted the remodel would most likely effect the weighted average year of the house, and that she would need to evaluate it in person to answer specifically.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-581-10 be upheld.

04-608E HEARING NO. 44 – KEVIN DICK, ET AL.
PARCEL NO. 009-612-19

A petition for Review of Assessed Valuation received from Kevin Dick, et al., protesting the taxable valuation on land and improvements located at 1530 Wildrye Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Patricia Regan, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

Sandra Carroll, Petitioner, was sworn and testified that Pat Regan was a "first class professional" in explaining the appraisal process. She commented that they

have not added to the land value of their parcel, only the house. She stated she doesn't believe the process is fair. The Petitioner noted that their neighborhood is a regular, middle-class neighborhood, not one for speculation on land values. She stated she is concerned about the effects of tax changes, noting that Prop. 13 had very detrimental effects on the State of California. She stated she doesn't want that to happen here, but she is very concerned about the rise of taxes here.

Appraiser Regan reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She stated the Assessor would stand on their written presentation and Exhibits II and III. She noted that she included Exhibit II so that the Petitioner understood how the assessment methods are formulated. Member Schmidt noted the most recent comparable sale is much higher than the other two and wondered if that was a trend the Appraisers have noted. Appraiser Regan said it was a conservative sale amount given the current market.

The Petitioner's rebuttal said the process is flawed, and it puts a tax burden on the community at large.

The Chairman closed the hearing.

Member Obester reinforced that, though the process may be flawed, the staff of the Assessor's Office has helped him believe in what they are doing. Member Allison noted there have been great changes in assessments; but that is what the values are and, unless the Legislature changes the methods or tax rates, this is what everyone has to work with.

Member Schmidt noted that the County Commission is also a forum for tax discussion, because the Commission sets the rate of tax assessment.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-612-19 be upheld.

04-609E HEARING NO. 120 – HOWARD W. & NANCY D. OLSEN, TR.
PARCEL NO. 009-082-07

A petition for Review of Assessed Valuation received from Howard W. and Nancy D. Tr., protesting the taxable valuation on land and improvements located at 4180 Hackamore Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS-13 and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

Nancy Olsen, Petitioner, was sworn, submitted photographs, Exhibit A, and testified that she was not feeling well and that her neighbor, Veronica Cooper, would be speaking for her. They were sworn and testified that the land value is not correct. The houses in the neighborhood are simple, and the ones used as comparables are newer and better. She also stated that the traffic on Hackamore is very busy and that the other lots are bigger. She also questioned why another vacant land sale from 2001 for \$150,000 was not listed as a comparable. Chairman Fox asked her what she felt would be a reasonable land value, and she stated she believed that it should be \$120,000.

Appraiser Wilson addressed the Petitioner's concern regarding sales on Plateau Road. He said the Plateau sales are different and those lots have a \$200,000 base lot value versus the \$150,000 base lot value for Hackamore. He said the Petitioner also questioned the view classification, and he said that had been taken into consideration. Appraiser Wilson said the parcel noted by the Petitioner that sold for \$150,000 in 2001 was identical to the vacant comparable sale, LS-3 that sold in 2001 for \$150,000 and resold in 2003 for \$275,000. He felt that those sales better reflect the current values. Appraiser Wilson then reviewed his Exhibit III substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written presentation and Exhibits II and III.

Member Obester asked how many of the lots in the area of the subject property are at the \$150,000 base value. Appraiser Wilson said he did not know the number, but it would be the majority of the parcels. Chairman Fox also said the Petitioner brought up the question of easements for trails and asked if that was for private use of the area property owners. Appraiser Wilson was not sure if the trails were private or public.

Member Schmidt asked about the comparables to the subject parcel. Appraiser Wilson noted that the subject is at \$114 per square foot, and the comparables are from \$176 to \$236 per square foot. Appraiser Wilson said he felt very comfortable with the subject's assessment. Chairman Fox asked if the comparables would be subject to the same easements as the subject and was told they would be.

In rebuttal, the Petitioner questioned the quality of the comparables and stated the bridle easement is on both sides of their property.

The Chairman closed the hearing.

Chairman Fox noted that he did not think bridle path easements were felt to be detriments in that area by most people. Member Sparks stated he was concerned that there were no comparable land sales in the specific subject area; and there are differences, but that adjustments have been made by the Assessor. He further observed that the improved sales in the area do reflect the current market values.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded

by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-082-07 be upheld.

04-610E HEARING NO. 121 – LARRY M. & VERONICA M. COOPER
PARCEL NO. 009-084-04

A petition for Review of Assessed Valuation received from Larry M. and Veronica M. Cooper, protesting the taxable valuation on land and improvements located at 4185 Hackamore Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS-13 and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

Sandra and Larry Cooper, Petitioners, were sworn and testified that there are easements on the property that have to be maintained by the property owners, and they are not considered to be an asset. Ms. Cooper also asked that the photos used in the previous hearing, Number 120, be considered for this hearing also. The Petitioners stated Hackamore is a busy road, they do not believe the comparable sales used are appropriate, and their property has a limited building space due to limitations posed by a creek on their property. Mr. Cooper said he is questioning the comparison to the Plateau lots because of the differences in the neighborhoods.

Member Sparks asked about some remodeling they had done. The Petitioner stated they remodeled for a family room.

Appraiser Johnson noted that the subject property is assessed at \$106 per square foot, the improved sales range from \$148 to \$172 per square foot, and sales of comparable properties substantiate that the Assessor's total taxable value does not exceed fair market value. Member Schmidt asked about the quality class of the first comparable. Mr. Johnson said he would need to see inside the house to make such a judgment. Member Sparks asked if he would be willing to do an inspection of the subject property. Mr. Johnson said he would. Appraiser Johnson stated the Assessor would stand on their written presentation and Exhibits II and III.

Member Obester asked about the taxable value of the improved sales on a square foot basis. Mr. Johnson stated the comparables in order are \$107 per square foot, \$106.66 per square foot, and \$117 per square foot.

Petitioner Cooper asked what the outcome of the discussion was. Member Sparks stated that Appraiser Johnson was standing on his Exhibits, but would go out to check on the comparable and the subject quality class to make sure they were correct. She asked if that meant there would be a second appeal. Member Sparks said it would not be a second appeal, but it might possibly lower their improvement assessment

amount. Ms. Cooper reiterated that, based on the lot's limitations, she believes the land value should be less.

Member Sparks stated that there are differences in the two areas, and he understands the Petitioner's and the Assessor's positions. He stated having the Appraiser come out to the property will hopefully answer any questions, but he does agree with the Assessor's exhibits.

Chairman Fox stated he felt having a stream on the property was a pretty nice attribute.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-084-04 be upheld.

04-611E HEARING NO. 76 – ZENY N. & JANIS C. OCEAN
PARCEL NO. 009-092-04

A petition for Review of Assessed Valuation received from Zeny N. and Janis C. Ocean, protesting the taxable valuation on land and improvements located at 4225 Palomino Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

Zeny Ocean, Petitioner, was sworn, submitted documents and photographs, Exhibit A, and testified that he is questioning the land value, specifically the classification that his is a view lot. He stated he has a view of telephone poles and a large house. Petitioner Ocean said the lot and his driveway are very steep, and he has a power easement and a bridle path easement, which he thinks are detriments. He also requested clarification on the time-adjusted values. Petitioner Ocean said that the Assessor's staff has been very pleasant responding to his questions. He questioned the comparable sales and said he thought the buyer of the vacant land next door to him paid too much.

Member Obester asked about the view from his house. Member Allison asked if the bridle path was there when he purchased the property. Petitioner Ocean said it was.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated the

Assessor would stand on their written presentation and Exhibits II and III. He further stated that the comparable sales had inferior views to the subject's.

Member Schmidt asked how the base lot values were established. Appraiser Johnson said they were based on the comparison to the Plateau neighborhood.

Petitioner Ocean asked about his view premium and if any other neighbors had been given relief. Chairman Fox said these were the first hearings of this neighborhood. Petitioner Ocean said he was pleased that Mr. Johnson would come back to check the view premium.

The Chairman closed the hearing.

Member Schmidt noted that the vacant land sale LS-1 is a larger lot than the subject parcel, which makes a significant difference. Member Sparks noted that the shape of the comparable would make up the difference in his mind.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt voting "no," and Member Obester abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-092-04 be upheld.

04-612E HEARING NO. 144 – LEONARD R., JR., & JANE G. WOHLTZ
PARCEL NO. 009-351-05

A petition for Review of Assessed Valuation received from Leonard R., Jr., and Jane G. Wohletz, protesting the taxable valuation on land and improvements located at 3370 Thornhill Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned SF15 and designated single-family residence.

Patricia Regan, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

Leonard Wohletz, Petitioner, was sworn and testified that he believes the proximity of McCarran Boulevard is a detriment to his property value. The noise and traffic are a major impact on their quality of life. He noted the comparables are a block away from McCarran and higher up so they are not impacted as much as he is. Petitioner Wohletz stated his total taxable value should be \$200,000 based on the noise.

Appraiser Patricia Regan advised that the subject property is receiving a ten percent downward adjustment for the traffic impacts due to the close proximity of McCarran Boulevard. She pointed out that vacant comparable LS-3/4, which is smaller in size and abuts McCarran and a retail center, sold in 2002 for \$69,000 and recently

resold for \$120,000. Therefore, she believes that the Assessor's total taxable value does not exceed fair market value. Appraiser Regan stated the Assessor would stand on their written presentation and Exhibits II and III.

Chairman Fox asked about the base lot value. Appraiser Regan said it was \$65,000 for the Lewis homes in this area. Member Schmidt asked about size of the lots.

Petitioner Wohletz stated he thought the people over-paid for the LS-3/4 lot. He said he did not believe the percentage of reduction for the impact of McCarran was enough.

The Chairman closed the hearing.

Chairman Fox said he thought the comparable LS-3/4 was compelling at the price paid in 2002, which is over the base lot value. Member Schmidt noted the sale may not reflect the reality of the traffic and commercial influence but that is what they have to go on.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-351-05 be upheld.

04-613E HEARING NO. 85 – HELMUT O. & ERIKA L. PRZYSTAW, TR.
PARCEL NO. 009-621-06

A petition for Review of Assessed Valuation received from Helmut O. and Erika L. Przystaw, Tr., protesting the taxable valuation on land and improvements located at 1609 Wheatgrass Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Pat Regan, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 10, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Regan reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written presentation and Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded

by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-621-06 be upheld.

11:30 a.m. The Board recessed.

1:30 p.m. The Board reconvened with all members present as in the morning.

Chairman Fox explained the order of the day as he had prior to starting the 9:00 a.m. Block of hearings.

1:30 P.M. BLOCK

04-614E HEARING NO. 173 – SHANNA S. & RIC D. LICATA
PARCEL NO. 009-472-17

A petition for Review of Assessed Valuation received from Shanna S. and Ric D. Licata, protesting the taxable valuation on land and improvements located at 4170 Powderkeg Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned MDS-14 and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

Ric Licata, Petitioner, was sworn, submitted a letter including square foot prices of vacant land sales, Exhibit A, and testified that he is questioning the land value on his property. Based on his calculations, Petitioner Licata determined his correct land value should be \$89,088. Chairman Fox asked if the Petitioner believed the value of property should be based on the square footage of the property. Mr. Licata stated he did think that was true.

Appraiser Johnson noted that the subject property receives a ten percent discount on the base lot value for the small lot size. He said the base lot value in this area is \$150,000, and the subject is valued at \$135,000. He further stated in residential land assessment, the Assessor's Office uses a site basis not a square foot basis. Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value.

Chairman Fox asked Appraiser Johnson when the Assessor does use a per square foot basis to determine value, and was told that was usually done on commercial properties. Chairman Fox asked Mr. Johnson to look at the Petitioner's exhibit page 2. The Petitioner reached a taxable value for his property at \$89,088. Chairman Fox asked Mr. Johnson if he knew of any land sales in this area for that amount. Mr. Johnson said he knew of no sales that low. The Appraiser stated the Assessor would stand on their written presentation and Exhibit III.

Member Schmidt asked about lot sizes and adjustments to the base lot values based on size. The response was that the Assessor's Office derives the costs from market sales, but adjusts for varying lot sizes.

In rebuttal, Petitioner Licata stated that the prices are inflated and asked what would happen if the prices were to go down. Chairman Fox replied that the taxable values would also go down, and those values can be adjusted every year.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-472-17 be upheld.

04-615E HEARING NO. 145 – CHRISTINA FEGERT
PARCEL NO. 009-472-21

A petition for Review of Assessed Valuation received from Christina Fegert, protesting the taxable valuation on land and improvements located at 4130 Powderkeg Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned MDS-14 and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

Christina and Keith Fegert, Petitioners, were sworn, submitted a Uniform Residential Appraisal Report, Exhibit A, and testified that they are questioning the land assessment. Chairman Fox explained that supply and demand account for much of the values that are seen. They also complained about the rate of tax assessments increases. Chairman Fox stated there is no statutory limit on increases in values in Nevada.

Member Allison noted that the Petitioners paid more to purchase the property in 2002 than their current 2004 appraisal. Chairman Fox noted that the value of the professional appraisal done in September 2002 was \$388,000 and their 2004 Assessor's taxable value is \$332,197.

Appraiser Johnson noted that the 2002 private appraisal listed the land value as \$110,000 and the Assessor's Office assessment for that same year was \$100,000. Mr. Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written presentation and Exhibit III.

Petitioner Fegert stated he still believes that the land value is too high. He wanted justification for the \$150,000 base lot sales information. Chairman Fox suggested he go to the Assessor's Office for that public information.

Member Obester suggested they check on lot size to see if they qualify for a discount for lot size. Member Schmidt stated most property values are based on increased value of the land, not the improvements. He further stated they are close to a green belt area, which further enhances the size of their lot.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Allison, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-472-21 be upheld.

04-616E HEARING NO. 201 – JOYCE C. FEGERT
PARCEL NO. 009-472-27

A petition for Review of Assessed Valuation received from Joyce C. Fegert, protesting the taxable valuation on land and improvements located at 4120 Flintlock Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property. Member Sparks questioned where Caughlin Ranch is compared to Juniper Trails properties. Appraiser Johnson noted that both are governed by the same CCR's and green belt areas.

Joyce Fegert, Petitioner, was sworn, submitted a Uniform Residential Appraisal Report, Exhibit A, and testified that she has seen the values go up over the years, and she was protesting the value of the land. She stated she refinanced in 2002 and the mortgage company appraised the land value then at \$150,000. The total value from that appraisal was \$560,000. Her appraisers said the value of her land went up \$50,000 over 18 months. Petitioner Fegert stated she is further assessed for a view, which she thinks is not fair or true.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated that the view from the subject property is not of Reno, but is of the pond and common area. He noted previously there was a 39 percent view premium, but that had been reduced to 10 percent, and stated he would be glad to recheck the property. Member Obester asked about other area parcels view rating and Mr. Johnson said they also have a 10 percent view adjustment. He explained that the view percentage originally was based on the

developer's premium, but that changes over time. Appraiser Johnson said the Assessor would stand on their written presentation and Exhibit III.

Petitioner Fegert stated she does not have a view of Reno and would appreciate having the Appraiser come out and reassess the view value.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-472-27 be upheld.

04-617E HEARING NO. 42 – EDWIN D. & SALLY A. HALE
PARCEL NO. 009-573-01

A petition for Review of Assessed Valuation received from Edwin D. and Sally A. Hale, protesting the taxable valuation on land and improvements located at 3975 Plateau Road, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned E-2-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 12, and oriented the Board as to the location of subject property.

Edwin Hale, Petitioner, was sworn, submitted photographs, Exhibit A, and testified that he questioned the land value based on the increase in traffic, lot contour and height restrictions. He stated he was requesting a reduction in land valuation of 15 percent. Chairman Fox noted his petition stated he didn't know when or how much he paid for the parcel. Mr. Hale stated he paid \$118,000 for the land in 1998 and believed his correct land value should be \$144,250.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated the Assessor would stand on their written presentation and Exhibit III. Chairman Fox asked Mr. Johnson if he felt the Assessor had justified the values and detriments of traffic and height restrictions in the comparable properties. He said he felt they had.

Member Schmidt asked why there was not an upward adjustment for the larger size lot. Mr. Johnson stated that it was not adjusted because of the problems on the lot, which Mr. Hale stated. Member Schmidt asked if the house situation buffered the traffic noise. Appraiser Johnson said the house is at the back of the lot, and there is a green belt that also offers some buffer.

Petitioner Hale said he still thinks the traffic warrants a downward consideration.

The Chairman closed the hearing.

Chairman Fox reopened the hearing to allow Appraiser Johnson to answer a perceived discrepancy in the value given to lots based on the size. Appraiser Johnson stated that there was an error. He stated the size adjustment was for lots over .5 acres. Senior Appraiser Teresa Wilkins stated there was a typographical error. She further stated that .45 to .60 acres is the range for the base lot value and adjustments are made from that point.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (traffic) were not considered by the Assessor, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 009-573-01 be reduced to \$150,000 and that the taxable value of the improvements be upheld for a total taxable value of \$642,106. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-618E HEARING NO. 164 – JASON A. DELMUE, TR.
PARCEL NO. 009-702-10

A petition for Review of Assessed Valuation received from Jason A. Delmue, Tr., protesting the taxable valuation on land and improvements located at 4400 Juniper Trail, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated vacant, single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

Jason Delmue, Petitioner, was sworn, submitted comparable land sales, Exhibit A, and testified that his land value is too high because of the slope of the lot, which hinders development. He further questioned the view assessment on his lot. He stated he felt the land value of his parcel should be \$110,000.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. He said these lots all have a ten percent view premium. Appraiser Johnson stated the Assessor would stand on their written presentation and Exhibit III.

Petitioner Delmue stated his comparable sales were only in Juniper Trails, and they are more appropriate than the Assessor's comparables.

The Chairman closed the hearing.

Chairman Fox stated that the land values from the time the Petitioner purchased the land to now have gone up radically in Washoe County and that this area is no exception.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-702-10 be upheld.

04-619E HEARING NO. 40 – EUGENE A., JR., & R. LAURA
DEBARDELABEN, TR. – PARCEL NO. 009-562-06

A petition for Review of Assessed Valuation received from Eugene A., Jr., and R. Laura DeBardelaben, Tr., protesting the taxable valuation on land and improvements located at 4275 Bitterroot Road, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned E-2-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 10, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written presentation and Exhibit III. He also noted that the subject property sold in 1996 for \$475,000, and the 2004 taxable value was \$400,599.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-562-06 be upheld.

04-620E HEARING NO. 146 – KENNETH D. HAYES, TR.
PARCEL NO. 009-562-11

A petition for Review of Assessed Valuation received from Kenneth D. Hayes, Tr., protesting the taxable valuation on land and improvements located at 4286 Caughlin Parkway, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned E2-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted photographs, Exhibit A, which were reviewed by the Board. The Petitioner's appeal form questioned the view premium assessed on the land. Mr. Johnson stated the view is of the pond, and the neighboring properties are also assessed the same five percent extra.

Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written presentation and Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Schmidt, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 009-562-11 be upheld.

04-621E HEARING NO. 37 - LIO MOTRONI, TR.
PARCEL NO. 009-472-07

A petition for Review of Assessed Valuation received from Lio Motroni, Tr., protesting the taxable valuation on land and improvements located at 4185 Longknife Road, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned MDS-14 and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 10, and oriented the Board as to the location of subject property. He advised that the parcel should have received a ten percent downward adjustment based on the size of the lot, but it did not due to a clerical error. Appraiser Johnson said he had been unable to talk to the Petitioner concerning the Assessor's recommendation, but had left several messages. He further stated that other parcels in the area did receive this downward adjustment. Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written presentation and Exhibit III.

The Petitioner was not present.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (lot size) were not considered by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's

Parcel No. 009-472-07 be reduced to \$135,000 and that the taxable value of the improvements be upheld for a total taxable value of \$343,139. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-622E HEARING NOS. 52, 60, 216, 77, & 165

Chairman Fox noted there are no more Petitioners present for the remaining hearings, and the Board has no other letters or information on the remaining petitions. He asked if anyone finds any reason why the remaining properties are not similar enough to be consolidated and heard together.

On motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the remaining petitions be consolidated and heard together.

The Clerk of the Board called each of the above-referenced hearings by hearing number, property owner's name and parcel number.

Chairman Fox asked if there was anyone present to speak concerning any of these properties and again noted that there was no one present to represent the Appellants. He then asked the Assessor if they had any additional information to present.

Joe Johnson, Appraiser, duly sworn, stated the Assessor would stand on their written presentation submitted and contained in Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
52	C. Roger and Laura L. Murray Wells Fargo Bank Nevada, Tr.	009-472-03
60	Robert L. and Joyce A. Huff, Tr.	009-522-05
216	Helen R. Carrico, Tr.	009-630-21
77	James V. and Edith M. Benson, Tr.	009-702-03
165	James R. Jr. and Debra L. Kozar	009-771-05

PUBLIC COMMENTS

There was no response to the call for public comments.

4:15 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 25, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Susan Stewart, County Clerk's Office*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

WEDNESDAY

9:00 A.M.

FEBRUARY 25, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Gary Schmidt, Member
Steven Sparks, Member
Jon Obester, Member

Amy Harvey, County Clerk
Leslie Amirand, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Washoe County Board of Equalization convened in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITION

The following hearing has been withdrawn from today's schedule by the Petitioner:

Hearing No. 47, John and Anita Hara, APN 041-051-22

DISCUSSION AND ACTION - POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board follow the procedure already set forth for this year's hearings; i.e., that hearings where the petitioners are present will be heard first, in the order in which they appear on the agenda; then any petitions with letters or additional information will be heard, in the order in which they appear on the agenda; and then the balance of all remaining petitions asserting the same or similar reasons will be consolidated.

04-623E REQUEST FOR RECONSIDERATION OF HEARING NO. LT-430 - LESLIE P. BARTA - APN 125-232-24

A request for the Board to reconsider its ruling on Hearing No. LT-430, Les Barta, property owner, was received from Attorney Norm Azevedo. The hearing was on February 17, 2004; and the request for reconsideration, dated February 18th, was based

on a professional appraisal on Mr. Barta's property faxed to the Assessor on February 18, 2004.

Chairman Fox stated the Board considers all information presented to them at a hearing; but, because of the tremendous workload this year, the Board has not rescheduled or reopened any hearings, as there are just no openings in the schedule. He welcomed comments from the other Board members.

Member Allison commented that the Board encourages Petitioners to bring whatever information they have available to the hearings; and that there have been other requests by Petitioners to submit additional information at a later time, which has not been allowed. She said it would not be fair to those other Petitioners if the Board granted this request, and she believed all Petitioners should be treated equally.

Member Allison made a motion that the Board deny the request for reconsideration by Mr. Azevedo on behalf of Mr. Barta on the basis that this is the policy the Board has been acting under due to the tremendous workload this year. Member Sparks seconded the motion.

Member Schmidt asked if there was additional information. Member Sparks stated there was, but if the Board reopened it, the documents could be offered as evidence. Member Schmidt stated that he believed anything that is presented to the Board is made a part of the record and moves on to the State Board of Equalization in the event of an appeal. He noted that whether the hearing is reopened or not, the additional evidence has been presented, and it has been presented prior to the expiration of the hearings. He asked legal counsel for clarification.

Legal Counsel Leslie Admirand responded that the distinction being made is that it was not evidence that was considered by the Board when rendering its decision. Chairman Fox added that the State Board may well decide to consider the additional paperwork. Member Schmidt stated he would feel more comfortable if the Board would label what has been submitted.

Chairman Fox advised that the Clerk keeps a record of everything that is done, which includes copies of all the paperwork. Member Schmidt stated if the Board does not reopen the hearing, the materials will not be considered, and he would reluctantly agree with the motion due to the circumstances. He added he would like to give everybody extensions and deal with the scheduling, but that just cannot be done.

Chairman Fox called for a vote on the motion; the motion carried with Member Obester voting "no;" and it was ordered that the request for reconsideration of Hearing LT-0430, Assessor's Parcel No. 125-232-24, Leslie P. Barta, Petitioner, originally held on Tuesday, February 17, 2004, be denied.

* * * * *

Chairman Fox outlined the process for the hearings and the order of the day for the Petitioners that were present. He explained the role of the Board of Equalization and the Board's limited jurisdiction. He emphasized that the Board makes no decisions regarding taxes and has no jurisdiction over what services the County provides.

9:00 A.M. - BLOCK

04-624E HEARING NO. 90 – MICHAEL J. AND LINDA S. HUMPHREY
PARCEL NO. 220-040-04

A petition for Review of Assessed Valuation received from Michael J. and Linda S. Humphrey, protesting the taxable valuation on land and improvements located at 40 Sharps Circle, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned A2-LDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 13, and oriented the Board as to the location of subject property.

Linda Humphrey, Petitioner, was sworn, and testified that she was objecting to the land value placed on her property. She submitted an appraisal of the adjacent lot, 50 Sharps Circle, Exhibit A, and testified that it was three years old but was fairly extensive; and that lot is identical to her lot. In response to Chairman Fox, Petitioner Humphrey stated that she does believe there has been some change upward in value over the last three years, but she clarified the property was purchased in August 1992 for \$154,900; and it was appraised in August 2000 at \$180,000, which results in a 16 percent appreciation for those eight years. She stated according to the Assessor's appraisal, the property has appreciated by 58.9 percent in the past three years.

In response to Chairman Fox, the Petitioner stated the reason for the appraisal was because the lot was owned by her pension plan, and the pension trustees decided they did not want to have property in the pension plan. She confirmed that she sold the property for \$214,000, which was slightly above the appraised value, approximately a year later; and that it was an arms length transaction through a broker who sold the property for her.

Appraiser Johnson noted the subject property is currently listed with Dickson Realty for \$1,549,000. He reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written presentation and Exhibit III.

Member Schmidt asked how the base lot values were determined for this area. Appraiser Johnson replied the base value for this portion of the Eagles Nest Subdivision was \$260,000 per site, and the subject property is currently receiving a ten percent view premium, which brings it up to \$286,000. The Appraiser further explained

that the base lot value was arrived at by using the comparable sales in the subject's immediate area, which are listed on page 1 of Exhibit III. Appraiser Johnson also responded to several other questions from Board members.

In rebuttal, Petitioner Humphrey testified that their property has been on the market since July; and they have had only one offer, which was substantially below the asking price. She stated she does not believe the taxes can be based on what is being asked for a property. In response to Chairman Fox's question, Petitioner stated the offer was for \$1.3 million.

Regarding the other sales, Petitioner Humphrey said she is not familiar with all the other properties, some are substantially larger than hers, and none of them are adjacent to the subject property as her appraisal is. She also discussed other sales, or attempts to sell, in her neighborhood, but had no specific details or documentation.

The Chairman closed the hearing.

Member Obester commented that the Assessor's land sales are much more current than the comparable sales submitted with the Petitioner's appraisal.

Member Schmidt commented that the evidence supports that the land value is not above full cash value, and he stated that there has not been a substantial argument made with regard to equalization.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 220-040-04 be upheld.

04-625E HEARING NO. 128 – NINO P. AND GINA L. PEDRINI
PARCEL NO. 220-052-02

A petition for Review of Assessed Valuation received from Nino P. and Gina L. Pedrini, protesting the taxable valuation on land and improvements located at 90 Hawken Road, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned A-2-LDS and designated vacant.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property. In response to Chairman Fox, Appraiser Johnson stated there is a house under construction on the subject property.

Nino Pedrini, Petitioner, was sworn, submitted a letter and a photograph, Exhibit A, and testified that he and his wife have a home currently under construction, but the new assessed value of the land exceeds the true cash value of the land. He stated there are adverse factors that have not been taken into consideration. Petitioner Pedrini

stated the adverse factors are outlined in his letter, but the specific ones affecting the valuation are topography and size. He noted the lot is irregular, very difficult to build on, has many building restrictions imposed on it, and the area of usable space is considerably less than the overall size of the lot. Petitioner Pedrini stated there is a utility power easement between the subject property and 100 Hawken, and that at the entrance of the property there is an unslightly power transformer that will not be removed. He further stated there is a natural obstruction, an underground natural spring, which requires extensive and costly excavation, drainage and pumping requirements, and re-routing of the water away from the property in order to build. He further testified that there is a steep side-sloping crevice on the hill covering over one-half the length of the lot, which has forced the driveway to a higher elevation and causing the building envelope to be altered. The Petitioner said there are utility structures and power lines that are completely visible and extremely unslightly extending along the perimeter of the property which he feels devalue and obstruct the views, and he directed the Board's attention to photographs. Petitioner Pedrini also described problems they had getting power to the property and the additional costs associated with that. He further stated he does not believe view comes into play, since most of the view is obstructed because of the necessary alterations. He stated he is seeking a 10 percent reduction in each of the five categories, and again noted these adverse factors were not taken into consideration in the appraisal. He added that he would welcome the Assessor visiting and walking the property with him to verify and clarify any of the issues presented to the Board.

In response to Member Sparks, Petitioner Pedrini noted that he purchased the property in July of 2002 for \$325,000. He acknowledged that the topography was the same in 2002, that the size and the shape were the same, and that the utility boxes and pole were there. Member Sparks asked if they actually purchased the lot before they went through any of the planning process to actually start construction of the home, and the Petitioner confirmed that was so.

In response to Member Schmidt, the Petitioner stated he paid the developer's asking price for the lot, and he did not know if there were any premiums included in the price for views or size of the lot as compared to others in the subdivision.

Appraiser Johnson stated that the subject parcel was purchased in July of 2002 for \$325,000, along with the adjoining parcel next-door, LS-1, which sold at the same time, to the same buyer, also for \$325,000. He noted that the adjoining parcel resold in June 2003 for \$360,000, and commented that was the most comparable sale to the subject property. He stated that he was not aware of the underground stream and could not comment on that. Appraiser Johnson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written presentation and Exhibit III.

Member Schmidt asked about adjustments to the base lot value. Appraiser Johnson replied that the subject received a ten percent upward adjustment for backing up to open space and a 20 percent adjustment for view. Member Schmidt asked for the Appraiser's comments in regards to the testimony about the power lines obstructing the

view. Appraiser Johnson stated the power lines are to the rear of the property and not in sight of any downtown views. He further stated they have always been there and would also affect Sales 1 and 2.

Member Schmidt noted the maps do not identify the open space. Appraiser Johnson stated all of the area behind 01, south of the subject parcel, is public land.

Member Obester asked whether the adverse factors were considered in this appraisal. Appraiser Johnson stated they were considered, except for the underground spring, of which he was not aware. He added that would be part of the development cost of the lot that has been improved at this point.

In rebuttal, Petitioner Pedrini stated that view is arbitrary and subjective. He added that the front of the house is actually facing the mountain and that hill where the power lines are located. He mentioned there is a fire road that runs parallel to that, there is continual access by hikers and bikers, there are people up there constantly, and he feels this is a detriment to the value. The Petitioner responded to questions from Board members.

The Chairman closed the hearing.

Member Schmidt commented that the 30 percent adjustment was partially based on open space, and he said he is familiar with open space in the high desert areas. It can be a substantial benefit as well as a substantial detriment. He stated having a dirt access road immediately next to your property could be a substantial detriment. With all that in mind, he noted that the upward adjustment of 30 percent for view and open space would be excessive, and he would support a reduction of 15 percent of that upward adjustment or more.

Member Obester commented that there are some adverse factors on the subject property that have not taken into consideration by the Assessor, and he also would support a reduction of some sort.

Chairman Fox pointed out that some of the things might adversely affect this property, but were readily apparent; and the owner testified they knew about some of them when they purchased the property. He added that the other things, like underground springs and power problems, were not apparent, but they have dealt with those things, so they are no longer an issue.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Members Schmidt and Obester voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 220-052-02 be upheld.

A petition for Review of Assessed Valuation received from William and Dora Young, protesting the taxable valuation on land and improvements located at 80 Promontory Point, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

William Young, Petitioner, was sworn, submitted a listing of Promontory Point lots with sales prices and current taxable values, Exhibit A, and testified that his dispute has to do with the assessment for city view and erosion on his property.

Chairman Fox identified the document submitted by the Petitioner and stated that it lists lots 601 to 617 and shows the sizes and the original sales prices. Petitioner Young noted that on 609, his lot, that is what they paid for it, but the other prices are what the developer was asking, not necessarily what they sold for.

Chairman Fox asked if \$101,108 was the original price on 609, and the Petitioner confirmed it was. Chairman Fox noted that the other prices vary from \$112,000 up to \$149,000, and he asked the Petitioner why they vary in price. The Petitioner surmised that it was either due to the size of the lot or the city view.

Petitioner Young indicated that his lot was the last to sell at Promontory Pointe, and it was reduced because of an erosion factor that went right through the lot. Chairman Fox asked if he had built on the lot since he bought it. The Petitioner stated that he had, and he added that it erodes but not as much because the house took the place where a lot of the erosion occurred. The Petitioner commented that he still does have an erosion problem on the back side of the property because it is very steep.

Petitioner Young stated that the houses next-door, 610 and 608 have an exceptional view, with 610 being the best in the area. He added that they do not have such a view at all, because their house faces a different way, and because 610 blocks most of the view.

Chairman Fox noted that the Assessor's Office has made a ten percent upward adjustment for view, and he advised that the Assessor's office would meet with the Petitioner at the property to review the view premium, if the Petitioner requests such a meeting. Chairman Fox further stated the Board has no way to judge views. The Petitioner stated that he would be willing to contact the Assessor's Office.

Appraiser Johnson stated that he would like to go out and verify the view. He advised that he does have sales that support the value, but wanted to be sure that the

ten percent adjustment is accurate. Appraiser Johnson stated the Assessor would stand on their written presentation and Exhibit III.

Member Schmidt asked if it is a policy to consider common open areas or whether it is considered an upward adjustment. Appraiser Johnson stated that the subject property is not really abutting the common area because there is another lot between them. He also noted that the common area is a park-like area for all the homeowners with a swimming pool and a clubhouse.

In response to Member Schmidt, Appraiser Johnson stated he was there to review the property on reappraisal, but he did not do the original inspection of the view when the home was built. Member Schmidt asked if he could substantiate that there should be a ten percent adjustment for the view. Appraiser Johnson replied he was there in September 2003; and, from what he could tell from the street, the view adjustment was justified.

In response to another question by Member Schmidt, Appraiser Johnson stated this is an area with a substantial amount of open space. Appraiser Johnson added that all of the property owners have a common interest in the area in the middle with the pool that is just for the people in Promontory Pointe.

The Petitioner had no new information for rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 220-071-41 be upheld.

04-627E HEARING NO. 142 – JOSEPH A. SAITTA, TR.
PARCEL NO. 220-072-12

A petition for Review of Assessed Valuation received from Joseph A. Saitta, Tr., protesting the taxable valuation on land located at 115 Sawbuck Road, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned A-2-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 8, and oriented the Board as to the location of the subject property. He noted the Assessor does have a recommendation for a reduction on the subject parcel.

Joseph Saitta, Petitioner, was sworn, submitted photographs, Exhibit A, and testified that he is appealing his land value because there are two negative factors affecting his property. He indicated that the first factor is severe erosion into Steamboat

Ditch, and the other is the Evergreen Housing Project that was built in the last two or three years completely obstructing his view and sunlight. He then presented the photographs to the Board. Petitioner Saitta noted that the first photograph is of the new homes that have been built which have affected his view. He stated the other photographs show the severe erosion and how the lot is going into the Steamboat Ditch. He stated that he has written a letter to the association, but they can't seem to do anything about it other than every year they get a bulldozer to clean it out. He noted that you can see the fence, and you can see the hill collapsing.

Petitioner Saitta stated that although he appreciates the ten percent reduction, he believes it should be at least 20 or 25 percent, because the property is no longer the lot it was when he purchased it. He said he reviewed all the comparable sales he was given, and there are none that sit in a hole like the subject property, and are surrounded by homes like he is.

Petitioner Saitta responded to Member Schmidt stating that his property is eroding because of the water coming down every year. He referenced the photos and indicated that it shows this winter's erosion.

Member Schmidt commented that the erosion is off the subject property and is undermining the Petitioner's fence. Petitioner Saitta noted that the first photo shows his fence, and the erosion is visible. Member Schmidt asked if the property goes beyond the fence. Petitioner Saitta stated that his property goes past the fence and halfway into the ditch, and added that he just had it surveyed. Member Schmidt asked what is beyond that, and the Petitioner responded there is a jogging path on the other side.

Chairman Fox asked the Petitioner if he had any vacant lot sales for less than \$150,000. Petitioner Saitta replied that he did not. He said he looked at every lot the Assessor gave him, but they do not have the same adverse factors as his lot.

Appraiser Johnson stated that he would be glad to go out and visit the property and make any inspection that the homeowner desires. Chairman Fox asked if there was any view premium on this lot, and Assessor Johnson replied there was not.

In response to Chairman Fox, Appraiser Johnson stated the recommended ten percent reduction is because of the size of the lot.

Appraiser Johnson concluded stating that the Assessor would stand on their written presentation and Exhibit III, and reiterated that he would be glad to meet with the homeowner.

Member Schmidt asked the Appraiser to describe the breakoff points on the adjustments for diminished size and oversized lots. Appraiser Johnson stated that .45 to .60 acres are at \$150,000, and that below .45 acres would receive the ten percent downward adjustment. Appraiser Johnson confirmed that this information is an exhibit that was introduced yesterday.

Member Schmidt asked legal counsel about the newly distributed exhibit having the same exhibit number on it as yesterday with the corrections on one page, and Legal Counsel Amirand asked for clarification as to when the exhibit was introduced.

Chairman Fox stated that it was pointed out to the Board yesterday that there was an error on page 41, the error was explained, and the exhibit has been fixed and given back to the Board again today. He further stated that all the same Board members were present yesterday, that they were all aware of what the amendment was, and directed the Board members to write "Amended" on the document.

Legal Counsel Amirand noted that the exhibit needs a different number than yesterday's, and Member Sparks suggested that it be designated as CR-1(a).

In rebuttal, Petitioner Saitta stated that in some cities the tax appeals have been given reductions because of buildings and homes being built that block views.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (lot size) were not considered by the Assessor, on motion by Member Obester, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 220-072-12 be reduced to \$135,000 and that the taxable value of the improvements be upheld for a total taxable value of \$471,719. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-628E HEARING NO. 99 – GARY R. AND MARY S. WARDLE
PARCEL NO. 220-092-01

A petition for Review of Assessed Valuation received from Gary R. and Mary S. Wardle, protesting the taxable valuation on land and improvements located at 3470 Cheechako Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 8, and oriented the Board as to the location of subject property.

Gary Wardle, Petitioner, was sworn and stated that he was contesting both the land and building values. He directed the Board's attention to page 5 of 8, of Exhibit III, and stated his property backs up to Caughlin Parkway, the main thoroughfare for the Caughlin Ranch area. He further stated that the comparable land values were taken from the Castle Ridge Subdivision, which is a gated community that is fairly isolated, and he added that both of the houses were on a cul-de-sac. Petitioner Wardle stated the neighborhood he is being compared to is far superior to his neighborhood.

Chairman Fox asked if there is a common area between the back portion of the subject property and the parkway. Petitioner Wardle responded that there is a berm and an easement of about ten feet.

Petitioner Wardle indicated that improved comparables are four years old and are in developments 2 and 3 of Evergreen, that they are full properties with substantial views, and his property is a non-view lot. He stated that for those reasons he feels his property is being overvalued.

Chairman Fox noted that, according to the petition, Petitioner Wardle does not know when he bought the property, and he does not know how much he paid for it. Petitioner Wardle stated that he bought the subject property December 31, 2002; and that he paid \$415,000. Chairman Fox asked him if he was aware that the Assessor's taxable value is \$359,995, and Petitioner Wardle confirmed that he was. Chairman Fox clarified that the Petitioner's argument is for equalization, and Petitioner Wardle agreed.

Member Obester asked several questions about the comparable properties.

Petitioner Wardle stated he was asking for a reduction because the land value has increased 35 percent. Chairman Fox advised that there is no statutory limit on the percentage a property can increase or decrease during any one year. Petitioner Wardle asked if assessed values are not in the neighborhood of 70 percent of cash value. Chairman Fox asked the Petitioner why he would take a 70 percent value; and the Petitioner replied that that is what it has been in the past. Chairman Fox stated that is not correct and explained that, under the tax laws for Nevada, the relationship between taxable value and market value or full cash value is that the taxable value cannot exceed the full cash value.

Appraiser Johnson noted that the purchase price of the subject property was more than the taxable value, and that the sales of comparable properties substantiate that the Assessor's total taxable value does not exceed fair market value.

In response to Chairman Fox, Appraiser Johnson stated the subject property sold in March 2002 and nine months later resold for \$35,000 more. Chairman Fox asked if that sort of increase has been continuing since December 2002. Appraiser Johnson said that was typical for the area.

Member Schmidt asked for the taxable values of improved sales 1 and 2, which Appraiser Johnson provided.

In response to Member Obester, Appraiser Johnson advised they did go to the Castle Ridge area for sales, that the base lot value for that neighborhood is \$120,000, and the subject's base lot value is \$110,000, recognizing that it is slightly inferior.

Member Obester asked if any of the other properties along Caughlin Parkway had been given a discount for traffic noise, and Appraiser Johnson replied they had not.

Chairman Fox noted that Petitioner Wardle indicated he had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 220-092-01 be upheld.

04-629E HEARING NO. 139 – CRAIG D. AND SHEILA D. COLFER, TR.
PARCEL NO. 220-133-04

A petition for Review of Assessed Valuation received from Sheila and Craig Colfer, protesting the taxable valuation on land located at 60 Lonepine Court, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned GR and designated vacant.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 8, and oriented the Board as to the location of subject property.

Craig Colfer, Petitioner, was sworn, submitted a contour map, Exhibit A, and testified that his lot has absolutely no view. He discussed lots and views in the adjacent subdivisions. He stated his property is bounded on three sides by houses, and that there is a mountain view from the back of the house, but the mountain is a slope 100 feet high with power lines at the top. Petitioner Colfer stated that since they purchased the property, it has decreased in value because of other subdivisions that have been or will be built around them. In response to Chairman Fox, Mr. Colfer stated they purchased the subject in July 2001 for \$167,500 and he is now requesting a value of \$185,000.

Petitioner Colfer noted that comparable sale, LS-1, is not a very good comparable because, although it is adjacent, it does have a city view, it has a much larger building envelope, it has better topography, and it has much greater frontage on the tiny cul-de-sac. He stated that in a cul-de-sac there is no street parking, and the way the building envelope is placed on the lot, it will be necessary to drive behind the house to get a driveway and a garage, otherwise Caughlin Ranch won't approve the elevation.

Petitioner Colfer stated that he disagrees with the Assessor that LS-5 is the next better comparable. He noted that his wife is a commercial real estate broker who had access to the sales information. He stated he does not believe the comparables are clearly reflective of the subject property's value.

Member Schmidt asked several questions about the plan changes to the subdivision.

Appraiser Johnson noted there has been appreciation in the area, and he added that the base values did include some view premium. He reviewed the sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value and stated the Assessor would stand on their written presentation and Exhibit III.

Member Obester asked for an explanation of how the base lot value was determined, which Appraiser Johnson provided and explained the adjustments to the value.

Member Schmidt asked the Appraiser to describe the negative aspects of the topography of the subject property in detail. Appraiser Johnson explained that most of the lots in the Eagles Nest area do sit up a little higher, and they do have valley views and mountain views. He noted the subject parcel does sit particularly low, because there is a high mountain just behind it.

Member Schmidt stated he understand a 30 percent upwards adjustment for a lot that is double the size, but noted a concern that if the acreage is inferior or diminished, whether five percent is an adequate adjustment.

In rebuttal, Petitioner Colfer stated that he concurs with Member Schmidt in that he has two acres of a 100-foot-high hill, and referred to the topographical map. He stated his lot has 100 feet in elevation difference on two acres, and added that the building envelope on his lot is smaller than any other building envelope on Lonepine Court, and is smaller than 95 percent of the building envelopes in the whole subdivision, which was reflected in the original price. He said the size adjustment was uncalled for because the extra land is unusable due to the topography.

Member Obester asked what the intentions were regarding the vacant lot. Petitioner Colfer stated they intended to build on the lot from the beginning, but are not sure now because of the new subdivision.

Member Schmidt asked several questions about what had to be done to the subject lot to make it buildable and whether there are drainage problems, which the Petitioner responded to in detail.

The Chairman closed the hearing.

Chairman Fox commented that, to him, Land Sale 1, which sold and resold, shows how the property has appreciated, which is better than the Petitioner's estimate of appreciation. He also stated that when property is purchased and there is

vacant property across the street, you could not realistically expect it will always be vacant.

Member Schmidt commented that the testimony was clear and undisputed by the Assessor's Office that there was a project approved on the adjacent land which did not include development of that portion of the property; and there was a subsequent special use permit for a modification of that, which the Petitioner protested in the planning process. Member Schmidt stated that the Petitioner was diligent and he views that as an adverse affect on the property.

Member Schmidt commented that the subject's excess land constitutes more of a detriment than a benefit, and suggested leaving the 30 percent on for over size but adjust 30 percent downward for the topography.

Member Schmidt moved to adjust the Assessor's appraisal of the land value by increasing the detrimental adjustment of the topography from 5 percent to 30 percent, so the total adjustments would then be an upward adjustment of 30 percent for size, and a downward adjustment of 10 percent for view, and a downward adjustment of 30 percent for topography. He said that would result in taxable land value of \$180,000, which would be a net 10 percent reduction from the base land value of \$200,000. Member Obester seconded the motion.

Member Allison stated she would vote against the motion, because the land sales do not support that value on this property, a two-acre parcel with a hill behind it where no one can build, which is some privacy. She stated that is not an accurate resolution to this situation.

Chairman Fox called for the vote, and the motion failed by a vote of two to three with Members Schmidt and Obester voting "yes" and Members Fox, Allison and Sparks voting "no."

Based on the FINDINGS that adverse factors (view and topography) were not given enough weight by the Assessor, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 220-133-04 be reduced to \$200,000. The Board also made the findings that with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

04-630E HEARING NO. 127 – WESLEY M. AND THELMA R. WITTEN,
TR. - PARCEL NO. 220-072-21

A petition for Review of Assessed Valuation received from Wesley M. and Thelma R Witten, protesting the taxable valuation on land and improvements located at 4342 Aspenwood Court, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned E2-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Johnson noted the Assessor is recommending a reduction on the subject property due to the easement shared by Aspenwood Court for street access. There should have been a ten percent downward adjustment and the subject property received only a five percent reduction, in error. Appraiser Johnson stated the Assessor would stand on their written presentation and Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the easement should have had a ten percent reduction as recommended by the Assessor, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 220-072-21 be reduced to \$135,000 and the taxable value of the improvements be upheld for a total taxable value of \$482,575. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-631E HEARINGS NOS. 81, 111, 140, 14, 89, 67

Chairman Fox noted there were no more petitioners present for the remaining hearings in the 9:00 a.m. block, and the Board has no other letters or information on the petitions. He asked if anyone finds any reason why the remaining properties are not similar enough to be consolidated and heard together.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the balance of the 9:00 a.m. block of hearings be consolidated, based upon the petitions all stating the same reason for the appeal; i.e., that the Assessor's appraisal is not supported by comparable vacant land sales, and there has been no additional response from the Petitioners.

The Clerk called the above-referenced hearings by hearing number, property owner's name and parcel number.

Chairman Fox asked again if there was anyone present to represent the Appellants. There was no response. He then asked the Assessor if they had any additional information to present.

Joe Johnson, Appraiser, duly sworn, stated the Assessor would stand on their written presentation submitted and contained in Exhibits CR-IA and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
81	Mark P. and Kathleen Schumacher	220-021-05
111	William B. and Judith A. Michaelson, Tr.	220-071-18
140	Joseph M. Jr. and Janna M. Guidas	220-072-01
14	Donald D. and Charlene B. Fisk ,Tr.	220-072-03
89	Tyson F. and Monica L. Kales	220-181-08
67	Malcolm and Maria C. Stowell	220-193-01

11:30 a.m. The Board recessed from 11:30 a.m. until 1:30 p.m.

1:30 P.M. BLOCK

As he did in the morning session, Chairman Fox outlined the process for the hearings and the order of the day for the Petitioners that were present. He explained the role of the Board of Equalization and the Board's limited jurisdiction. He emphasized that the Board makes no decisions regarding taxes and has no jurisdiction over what services the County provides.

04-632E HEARING NO. 102 – JONATHAN W. AND DEBBIE E. SMEE
PARCEL NO. 041-051-54

A petition for Review of Assessed Valuation received from Jonathan Smee, protesting the taxable valuation on land located at Woodchuck Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated minor improvements.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property.

Jonathan Smee, Petitioner, was sworn and testified that they purchased one large parcel and split it into three parcels. He stated he became alarmed when he noticed that his taxes went up in the neighborhood of 600 percent. He noted that when the parcel was one piece his taxes were \$2,480. He testified that he purchased the whole piece for \$398,000, and then he improved the property by extending a paved road and underground utilities that included gas, electric, phone, and cable. He noted that after the parcel map was completed, the taxes increased to almost \$15,000 with the same overall acreage. Petitioner Smee noted that this parcel has a well drilled on it. He contended that there are no comparable sales in the same size range in the immediate area. Chairman Fox noted that the subject parcel is 2.61 acres, which the Petitioner confirmed.

Petitioner Smee reviewed the comparables and stated that one is 8.3 acres and had a sales price of \$800,000; and he noted there is another parcel for sale, same acreage, with an asking price of \$895,000. He stated that situation is similar to his in that there was a parcel split, improved with underground utilities and paved road, but it is a much larger piece for sale for a higher price; and yet the taxes on that particular piece are less than the subject property. Chairman Fox advised the Board does not deal with taxes, but would listen to what the value is, if the Petitioner has that information.

Member Allison noted that the subject property is currently listed for sale at \$650,000, and the Assessor's taxable value is \$494,067. She asked the Petitioner what he used to establish a listing price of \$650,000. Petitioner Smee testified that he looked around the neighborhood and saw what was listed for sale. He stated that he was hoping for the moon and he has already reduced the asking price once and will probably reduce it again. He stated his contention is that he doesn't have a sale on his property, so he doesn't have a firm value of what he's going to get for it, and that it could be less than the assessed value. He noted that he bought the whole piece for \$400,000 and suggested that maybe each parcel is only worth \$400,000 now.

Petitioner Smee pointed out other comparables on the same road that were not used, one of which was 20 Woodchuck Court, and another at 40 Woodchuck Court. He stated those properties are nearly the same acreage, and they include a home on them, and yet their taxes are the same as the subject property.

Chairman Fox reminded the Petitioner that they are not to talk about taxes. Petitioner Smee stated that he feels his taxes are too high. Chairman Fox stated that he was in the wrong place for taxes, and reminded him that the Board's jurisdiction is limited to the valuation of the property. Chairman Fox stated that the Board would be happy to talk about the value of the property.

Chairman Fox asked if the other properties were sales. The Petitioner stated they were and added that they sold with a house, and that their tax assessment is equal to his yet their value is twice the amount of his value.

Member Schmidt asked if the Petitioner had to dedicate water rights to the City when he parceled the property. The Petitioner replied that he did, that he had to purchase them, and that the parceling is now complete and the parcel map is recorded. Member Schmidt asked how much the water rights cost. The Petitioner stated he purchased 4.04 acre-feet of water rights, 2.02 acre-feet for each additional parcel, and that cost about \$44,000. Chairman Fox clarified that the Petitioner had to purchase those water rights in order to divide the land, which the Petitioner confirmed. Chairman Fox said that added value to the land, and Petitioner Smee agreed that it was an added value to it overall.

Appraiser Wilson agreed the properties were difficult to appraise, as there were no exact comparables, which is why Land Sales 1 through 5 are different but yet

comparable enough, after adjusting them, to give an indication of value. He reviewed the comparable sales substantiating that the Assessor's taxable value does not exceed full cash value. Chairman Fox asked the purpose for the reopen of the 2003 roll. Appraiser Wilson stated the parcel map was recorded after the 2003-04 roll had closed.

In response to Chairman Fox, Appraiser Wilson explained that new parcels should not be factored because the law requires they be assessed at current value, but this parcel was factored in error. He stated the correct value for 2003-04 should be \$469,800 for the land, and \$4,029 for the improvements, which would be the well. The Appraiser further stated the 2004-05 value of \$494,067 is the result of the reappraisal. He also responded to several questions from Board members concerning the sales, parceling of the subject property, views, etc.

In rebuttal, Petitioner Smee stated that the only thing he would rebut is that the Assessor placed little value on the view from the property just down the road on Woodchuck. He stated that the Appraiser had also indicated that the subject property had a good or better view and had explained that it was a city view as well as a panoramic view. He also disagreed with some of the other comparable sales.

The Chairman closed the hearing.

Member Schmidt commented that the many so-called comparable sales are not really comparable but are all over the board. He also stated municipal water is substantially more valuable than well water, not from a quality standpoint but opportunity of further division. He concluded that it is difficult for him to adjust the comparables to come up with what the value of the property should be, and added that he would be willing to approach it from a developer's standpoint, to time-adjust the purchase price, add in the additional expenses of \$40,000 for water and for the road improvements and the well.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-051-54 be upheld.

04-633E HEARING NO. 103 R03 – JONATHAN W. AND DEBBIE E. SMEE
PARCEL NO. 041-051-54

A petition for Review of Assessed Valuation received from Jonathan W. and Debbie E. Smee, protesting the taxable valuation on land and improvements located at Woodchuck Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated minor imps.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property.

Appraiser Wilson noted that there was a clerical error in this assessment for 2003/04 that needs to be adjusted downward. After the adjustment the Assessor's total taxable value does not exceed fair market value. Appraiser Wilson stated the Assessor would stand on their written presentation and Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-051-54 be reduced to \$469,800 and that the taxable value of the improvements be upheld for a total taxable value of \$473,829 for the 2003/04 tax roll. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-634E HEARING NO. 104 – JONATHAN W. AND DEBBIE E. SMEE
PARCEL NO. 041-051-55

A petition for Review of Assessed Valuation received from Jonathan Smee, protesting the taxable valuation on land and improvements located at Woodchuck Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated vacant.

Chairman Fox noted that the Board is familiar with the location and asked the Petitioner if he has anything to say about this parcel.

Jonathan Smee, Petitioner, previously sworn, testified that the arguments are essentially the same, but added that the Assessor got his valuations by picking up the flyer off the for sale sign on the property. He added that the properties have been reduced, they might be further reduced, and none of them have sold at this point. In reply to Member Obester, Petitioner Smee replied that he has had no offers, and they have been on the market over 300 days. Petitioner Smee further stated that these are good properties.

Member Sparks referred back to comments by Member Schmidt about using a developer's approach, and asked the Petitioner to run down some numbers. Member Sparks noted that the purchase price was \$398,000, the road was \$200,000, and there is no water on this parcel, which the Petitioner confirmed.

Petitioner Smee stated that the water rights for this parcel were \$22,000. He noted that, on the previous property, he did not have to buy water rights, which is the highest valued property of the three. Chairman Fox clarified that he didn't have to buy

water rights for that one because he had a well; and Petitioner Smee corrected that it was grandfathered in that he could drill a well with the existing water rights for the large well, which he did before he parceled the property.

Member Sparks asked about the costs for surveying and platting, and Petitioner Smee replied that was \$50,000 for all three lots, or about \$16,500 each. Chairman Fox asked if the Petitioner did all the work himself, and Petitioner Smee replied that he had a construction company put in the road. He added there was another \$15,000 fee to Sierra Pacific for their reviewing and inspections for the three lots.

Member Schmidt commented that he could imagine there would be some reduction in the property to create a sale, and that it may sell for the \$460,000, which is the taxable value. He noted that he is concerned for that reason, but that he hasn't seen any substantial evidence to go against the Assessor's position.

Chairman Fox suggested that all the testimony should be heard before the Board made a decision.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated that his conversations with the Petitioner had no affect on the value currently on the parcels, and the values were put on during reappraisal when the listings were substantially higher than they currently are. He said he also thought that the listings were high, but added that the value put on by the Petitioner is reflective of what he thinks the parcels would sell for.

In rebuttal, Petitioner Smee stated he wondered what the assessment might have been if the properties were not for sale.

The Chairman closed the hearing.

Member Sparks commented that he agreed with Member Schmidt that \$450,000 to \$500,000 is probably close to full cash value on the lot, and there could be an opportunity to sell them for more. He stated he cannot say that the taxable value exceeds full cash value.

Member Schmidt noted the subject is zoned LDS, which is one-acre zoning; and that the subject parcel is a 2.86-acre parcel, so it could be further subdivided.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-051-55 be upheld.

04-635E HEARING NO. 105 R03 - JONATHAN W. AND DEBBIE E. SMEE
PARCEL NO. 041-051-55

A petition for Review of Assessed Valuation received from Jonathan W. and Debbie E. Smee, protesting the taxable valuation on land and improvements located at Woodchuck Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated vacant.

Appraiser Wilson noted that there was a clerical error in the assessment for 2003/04 that needs to be adjusted downward. After the adjustment the Assessor's total taxable value does not exceed fair market value. Appraiser Wilson stated the Assessor would stand on their written presentation and Exhibit III.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-051-55 be reduced to \$429,000 for the 2003/04 tax roll. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-636E HEARING NO. 106 – JONATHAN W. AND DEBBIE E. SMEE
PARCEL NO. 041-051-56

A petition for Review of Assessed Valuation received from Jonathan W. and Debbie E. Smee, protesting the taxable valuation on land and improvements located at Woodchuck Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated vacant.

Chairman Fox noted that everyone is aware of the location of the subject parcel, and he asked the Petitioner to provide whatever information he has.

Jonathan Smee, Petitioner, duly sworn, testified that this is lot number 3, the next adjacent property; it is the largest of the three, however it has the least amount of city view; it has a mountain view; it sits at the edge of a ravine; and it has a public easement along one side of it. He stated his feelings on this lot are the same as before concerning the Assessor using the same exact comparables. The Petitioner added that it is a different piece of property, and that even in relation to the two previous lots, there is no comparison in the two. He again noted that there have been no sales, and added that this parcel is listed for sale at \$535,000 and has been reduced from its initial asking price.

Chairman Fox clarified that the current taxable value is \$413,000, which figure the Petitioner confirmed. Chairman Fox further clarified that the Petitioner is claiming that although this is a larger lot, it has an inferior view. He asked for verification that the Petitioner created these parcels and determined the listing prices and that this one is listed for less even though it is larger. Petitioner Smee confirmed Chairman Fox's statement and stated that the view is important to him.

Appraiser Wilson stated that the subject parcel is the most inferior of the three, and noted that he was not aware of the easement that the Petitioner mentioned. Appraiser Wilson stated that he was given a five percent easement adjustment for the road (Woodchuck), but said if there were an additional easement, that is something the Assessor would usually adjust for.

Appraiser Wilson responded to Chairman Fox's inquiry by stating that he would be willing to review his official plat with him. Appraiser Wilson commented that the parcel does have an inferior view and it has a poor shape, but everything else is applicable that was discussed in the other hearings.

Appraiser Wilson noted that on Hearing No. 107, the 2003 reopen, the recommended value should be \$413,000 instead of \$421,260 and explained the current value and recommended value numbers had been erroneously transposed.

Member Schmidt noted that the last two hearings would be comparable properties to the subject and asked the Appraiser if the taxable value of this property is properly equalized to the previous two, taking into account the lack of a quality view. Appraiser Wilson stated that he absolutely believes it is, and explained that the subject parcel does have a diminished view in relation to the two previous hearings. He noted that in the first hearing he had associated 100 percent view premium with that, and that on the previous hearing he associated a 75 percent view premium, and on this current hearing he associated a 50 percent view, so it went down in 25 percent increments.

Member Schmidt noted that view seems to be a substantial consideration in this area, and there is a diminished view on this but very little diminished taxable value. Appraiser Wilson stated the view is not a bad view; it is just not as good as the view from the other two parcels.

In rebuttal, Petitioner Smee stated that he disagreed with the Assessor and stated the city view from this particular parcel could be taken away. He stated that, if the neighboring parcel happens to get a home built on it, the city view would be gone. The Petitioner further argued that the comparable sales at Whispering Pines and Bear Mountain Place are not good comparables.

Member Schmidt asked the Petitioner if he has been with a representative of the Assessor's Office on the property when he has discussed the view. Petitioner Smee responded that he has not. Chairman Fox advised the Petitioner that the Assessor will review views, but added it is the Petitioner's responsibility to make an appointment and to be there to go over the view with him. Chairman Fox added if that is done, the Assessor will come out and take another look at the view; and if they find something wrong with their analysis, they will set into motion the machinery to correct that situation.

The Chairman closed the hearing.

Member Schmidt echoed Member Obester's comments and added that it is difficult for the Board, not being on the property, to objectively try to analyze these things, and a visit to the site by the Assessor and Petitioner at the same time may be able to resolve some issues. He suggested that if there is not a resolution, there is the State Board or this Board again next year.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-051-56 be upheld.

04-637E HEARING NO. 107 R03 – JONATHAN W. AND DEBBIE E. SMEE
PARCEL NO. 041-051-56

A petition for Review of Assessed Valuation received from Jonathan Smee, protesting the taxable valuation on land and improvements located at Woodchuck Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated vacant.

Appraiser Wilson, in the previous hearing, noted that on Hearing No. 107, the 2003 reopen, the recommended value should be \$413,000 instead of \$421,260 and explained the current value and recommended value numbers had been erroneously transposed.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-051-56 be reduced to \$413,000 for the 2003/04 tax roll. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-638E HEARING NO. 136 – MICHAEL D. AND M. ALLISON JUDGE,
TR. - PARCEL NO. 041-061-04

A petition for Review of Assessed Valuation received from Michael D. and M. Allison Judge, Tr., protesting the taxable valuation on land and improvements located at 4145 Christy Way, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS-13 and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

Michael Judge, Petitioner, was sworn, submitted photographs, Exhibit A, and testified that there were three items he wished to present about the property. He

indicated that the first issue was a water line easement on the property that does not show in the plat map, which goes right along Plateau Road at the bottom of their lot. He stated the second issue is that the Assessor left out the most relevant comparable sale to their parcel, which is directly across the street and sold on March 27, 2001 for \$85,000. He noted that it is above the hill from them, because they are in a very severe south-facing slope, and that property is on the other side of Christy Way and runs up the hill above them. Petitioner Judge said that parcel has a better view and better access than the subject parcel and the time-adjusted sales price on it is \$104,000.

Chairman Fox asked for clarification on how the value was time-adjusted. Petitioner Judge replied it was one percent. In response to a question by Chairman Fox, Petitioner Judge responded that was information he received during conversations with the Assessor. Member Obester asked if the sale the Petitioner was referencing was Parcel 65 on page 5 of 7 of the Assessor's handout. The Petitioner confirmed it was.

Petitioner Judge stated there were differences in the comparables the Assessor used off of Plateau compared to the subject parcel in the older sector. He said the comparables on Plateau Court are all flat meadowland with full views of the city; they have underground utilities; and they are all part of the newer development along Timber Ridge with community facilities, sidewalks and walkways, whereas their community is 25 to 30 years old. He showed a picture of his property depicting the difference. In response to an inquiry by Chairman Fox, the Petitioner noted that the picture showed the very south end of his property, looking up at the house; and he pointed out that the bottom half of his lot is virtually unusable. He noted that it is such a steep slope there is nothing that can be done with the rest of the property, and he is being appraised at the same full acre value as the properties on Plateau Court where the entire acre is useful, for yards, RV parking, or other options.

Several questions were asked about the easement and Chairman Fox clarified that it is in the setback area.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated that the comparables he used did not have sidewalks, curbs or gutters and were very similar to the subject property, with the exception of underground utilities. He clarified that the area is not Juniper Ridge, but is not sure what they call it. He stated that Juniper Ridge does have curbs and gutters, but that his comparable land sales do not, and are very close to the subject property and are very indicative of the subject's value.

Chairman Fox confirmed that the sales on Plateau Road are not in Juniper Ridge. Appraiser Wilson responded that Juniper Ridge has curbs and gutters, and these sales do not. He also noted the land sale the Petitioner discussed was included in the list of sales, but stated it is not a buildable site. Appraiser Wilson said the adjacent property owner was the buyer. The Appraiser stated that it would be nearly impossible to put a structure on that parcel because of the odd shape of the parcel and the setback requirements, and that is why the value is what it is.

Chairman Fox clarified that the Appraiser does not consider that a buildable site, that it has not been built on, and that it was purchased by the adjacent property owner, which the Appraiser confirmed. Chairman Fox asked if the owner has combined the lots and is using them as one site for his home. Appraiser Wilson stated a fence has been put around both lots.

Appraiser Wilson suggested that the improved comparables more than justify the taxable value, and added that he does not consider the land sales to be different than the subject property. He stated the Assessor would stand on their written presentation and Exhibit III.

In rebuttal, the Petitioner reiterated the people who bought the property across the street from him bought it in order to protect their view. He stated that his main point is that the comparables on Plateau Court are flat land and the entire acre is useful, whereas the entire bottom half of his lot is unusable.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-061-04 be upheld.

04-639E HEARING NO. 219 – JEANNE S. BAXTER, TR.
PARCEL NO. 041-062-12

A petition for Review of Assessed Valuation received from Jeanne Baxter, Tr., protesting the taxable valuation on land and improvements located at 4115 Badger Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Jeanne Baxter, Petitioner, was sworn, and stated she would be relying on the same photographs presented in the previous hearing. Chairman Fox advised that the Clerk would reference those photographs. The Petitioner stated she was willing to have the verbal testimony stand alone as it is pretty much the same thing. She noted that her arguments are fairly the same as in the previous hearing; i.e., that the comparables used in Juniper Ridge have curbs, gutters, a clubhouse, a swimming pool, walking paths, ponds, and are flat lots. Chairman Fox noted the Assessor testified in the previous hearing that the comparable sales he was using on Plateau Road did not have curbs and gutters. Petitioner Baxter stated she did hear that testimony.

Petitioner Baxter testified that as far as the property on Plateau Road is concerned, she would like to point out that this is the last available property, that there is nothing else left in the entire neighborhood, and that her home has stood for 25 years on a very steep slope that is absolutely undevelopable down below her home. She added they determined there is a 100-foot easement at the base of her property that the Assessor was unaware of, and there may be a possible slight change in the tax base on that basis.

Petitioner Baxter stated on the report she received today, LS-3 has a note that it resold in 2003 for \$275,000; and she asked how time-dated comparables can be used to establish trends or prices, or in other words, support the appraisals, when she was under the impression that they are illegal to consider.

The Petitioner stated she has a statistical analysis of age-adjusted property sales, and added that they feel some of the properties that were used as comparables were from Juniper Ridge. She added that Frontier Estates is an older area with more modest homes, it is on sloping land, and they did a bell curve and put together a document to submit to the Board. Petitioner Baxter submitted photographs, Exhibit A, and a statistical survey, Exhibit B, and stated the base lot values for Frontier Estates were based on two sales; i.e., 4191 Plateau Court and 4215 Palomino Circle. She stated that, if the two properties that were the base of their tax assessment, were removed from the list and the bell curve used, which is an acceptable method in any evaluation, their values would fall much lower.

Chairman Fox stated his understanding of the Petitioner's assertions, and commented that the Petitioner is in Frontier Estates, which the Petitioner confirmed. Chairman Fox added that according to the bell curve, the mean sales price in Frontier Estates is \$200,277, and that for Juniper Ridge the mean sales price is \$184,305, and Petitioner Baxter confirmed that was her information. Chairman Fox noted the Petitioner indicated Juniper Ridge was a better area, although the mean sales price is \$16,000 less.

Petitioner Baxter noted that if it was used as a comparable in determining their land values, and if it was valued less, that it has a bearing on the subject property values being valued higher. Chairman Fox asked if she was saying the values are higher than on Juniper Ridge, and the Petitioner replied that they were valued almost equally. Chairman Fox noted that her information is a \$16,000 difference, and added that it is less than a ten percent difference.

Member Schmidt noted that 000 Christy Way sold on March 27, 2001 for \$85,000; and the Petitioner identified that as the parcel across the street from the Judges, the one that is on the hill that sold for \$85,000 and confirmed that it was a land sale. In response to Member Schmidt's question, Petitioner Baxter stated that the rest also represent land sales.

Petitioner Baxter stated that 4191 Plateau Court and 4215 Palomino Circle had sales prices of \$230,000 and \$305,000, respectively, and noted that, statistically,

when you factor in the two highest and the two lowest, you get the mean, which is what they have actually have done.

Member Schmidt asked about the nine items starting with JR. Petitioner Baxter confirmed that those all represented land sales in Juniper Ridge, and she added it is a combination of assessed values and land sales. In response to Member Schmidt's inquiry about combining assessed values and land sales, Petitioner Baxter replied they suggested it because they felt it goes to show the suggested value of one-acre lots.

Member Sparks commented that the Petitioner's nine land sales in Juniper Hills are all sales that are listed on page 43 of the Assessor's Exhibit CR-IA, the next three items under JR are the land sales, but the next six items look like they are taxable values, which would provide no statistical analysis because that would be mixing actual sales with taxable values. Member Schmidt confirmed that was what he was trying to determine.

Appraiser Wilson stated that in Exhibit III there is a list of land sales as well as improved sales, the improved sales suggest a range of value from \$154 to \$188 a square foot, and the subject is valued at \$149. He noted that the land sales were discussed in the previous hearing. He further stated he did not use the October 2003 sale in valuing the subject property, but included that information to show the Board what direction the trends are going in this neighborhood. Appraiser Wilson stated on this particular property, one of the adjacent property owners did bring an engineering plat map that showed a 100-foot easement running across the bottom of the parcel. Chairman Fox stated that would be well within the setbacks. Appraiser Wilson concurred, and added that he is recommending a ten percent adjustment to the land value on subject property, or reducing the land value from \$220,000 to \$210,000, rendering a total taxable value of \$386,715.

Chairman Fox noted for the record that Petitioner Baxter indicated she had no rebuttal.

The Chairman closed the hearing.

Member Sparks stated the Petitioner's statistical analysis seems to support what the Appraiser has done. Member Schmidt commented that he was impressed by the form of the statistical analysis, but it is not based on appropriate source data.

Based on the FINDINGS that there is an easement on the property and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-062-12 be reduced to \$210,000 and that the taxable value of the improvements be upheld for a total taxable value of \$386,716. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

A petition for Review of Assessed Valuation received from Tim and Jane Iveson, protesting the taxable valuation on land and improvements located at 4196 Plateau Ct., Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS-13 and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Tim Iveson, Petitioner, was sworn and asked that the photographs from the two previous hearings also be submitted in his case. Chairman Fox stated the Clerk would do that. Petitioner's photographs were submitted as Exhibit A. Petitioner Iveson stated he was only disputing the assessed land value. He noted that the Appraiser used three pieces of property on Plateau Road, but pointed out they are actually on Plateau Court. Petitioner Iveson testified that his parcel, number 46, is directly across the street from these five-and-a-half acres that were recently split into one- and one-and-a-half-acre parcels. He stated those are the last of the premium lots that are available, they came on the market a couple of years ago, they have sold, resold, sold and resold, and there is finally a house going up on one. He said those are premium lots, which suggests that the Appraiser cherry picked. He added that he is not saying he purposely did it, but it was very easy to grab these lots because they have sold and resold recently.

Chairman Fox asked if the Petitioner had other lots that he felt were better comparables. Petitioner Iveson stated he has lot number 65, off of Christy Way, which was discussed earlier, and was sold in 2001 for \$85,000. Chairman Fox noted that lot was purchased by the adjacent property owner and is now included in his yard by fencing.

Petitioner Iveson stated the Appraiser is using the vast upper end, with the later dates, rather than the 2001 dates; and he asked that the Board consider that for all the properties up there. The Petitioner further testified that his parcel is extremely sloped, and it has a total of four utility poles with overhead power lines that render a very unsightful view. He stated he does not have view of downtown. The Petitioner further testified there is a drainage easement at the bottom of the property, and there are two under-the-road culverts that bring the drainage water to the back of the subject property. He stated that today it would be necessary to wear hip boots in order to walk through that section of the backyard, and added that it is an absolute crag mire down there right now. Chairman Fox asked if the water puddles up at the back of the subject property. Petitioner Iveson stated that it does not puddle, but it is a river running through.

Appraiser Wilson corrected the land sales as being on Plateau Court, not Plateau Road, as the Appellant had indicated. He noted that the comparables have been discussed in previous hearings. He stated the comparable land sales are the last lots in the subdivision; and, when there are no more lots, the whole neighborhood generally

increases in value. The Appraiser said that is a reflection of what the market conditions are in this area. He further testified that he considered the views equal throughout the area, he is not associating any views with the Plateau Court land sales, and he has not identified any view premium on the subject parcel. Chairman Fox clarified that all these parcels are valued at \$200,000 in block 062, and Appraiser Wilson replied that there are some shape considerations, some easement considerations, and some size adjustments, but for the most part they are considered similar.

In response to Chairman Fox, Appraiser Wilson replied that he was not aware of the drainage easement. He added that it was something he would have considered had he known about it. Chairman Fox asked if lot -67, where the drainage easement was shown on the map, received an adjustment. Appraiser Wilson replied that he did make a five percent downward adjustment for the easement on lot -67.

Member Obester asked Appraiser Wilson if he has seen the utility lines and power poles, which Appraiser Wilson confirmed. Member Obester asked if they adversely affect this parcel more so than other properties in the immediate neighborhood. Appraiser Wilson responded that a lot of these parcels have utility easements running along the parcel lines. He stated the Petitioner is correct that the Plateau Court sales across the street do have underground power, but that property owner has to look out and see the subject property's power lines, as well, even though they are not on their parcel.

In rebuttal, Petitioner Iveson stated that Appraiser Wilson actually needs to go out and look at this particular piece of property so he understands what the utility lines do to this piece of property. He further stated he does not believe a five percent allowance for the drainage would be fair when roughly 20 percent of his property is affected by it.

The Chairman closed the hearing.

Chairman Fox commented that Appraiser Wilson testified that they were unaware of this drainage problem and he believed that the same five percent discount should be applied to the subject parcel. He also stated he would consider a ten percent site-specific reduction on the subject parcel in light of the drainage problems and the power poles.

Based on the FINDINGS that there were utility poles and drainage problems on the property, on motion by Member Schmidt, seconded by Member Allison with Member Sparks voting "no," which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-062-46 be reduced to \$180,000 and that the taxable value of the improvements be upheld for a total taxable value of \$444,227. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-461E HEARING NO. 115 – RICHARD E. AND JESSIE L. SPOONER, TR.
PARCEL NO. 041-062-47

A petition for Review of Assessed Valuation received from Richard E. and Jessie L. Spooner, Tr., protesting the taxable valuation on land and improvements located at 4190 Plateau Court, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property. He advised that the Assessor is recommending a reduction in the land value of the subject property by removing the ten percent view adjustment.

Jessie Spooner, Petitioner, was sworn and testified that she is on lot -47, and she also has power poles. She stated she appreciates the \$20,000 reduction because she does not have a view. The Petitioner testified they are on a sloping lot, do not have the benefit of underground utilities, and they have about three power poles on her lot. She noted that her lot is not as improved as the ones across the street.

Appraiser Wilson reviewed sales of comparable properties. He stated there was a ten percent view premium associated with this parcel, but because of some adjacent construction, the view has now been obstructed. He stated his recommendation is to reduce the land value from \$220,000 to \$200,000, with the improvement value staying the same, rendering a total value of \$410,779.

Member Obester asked if the Assessor had been out there to verify these facts. Appraiser Wilson replied that Senior Appraiser Theresa Wilkins had physically inspected the subject property. Member Obester asked if she could testify as to the three power poles as well.

Theresa Wilkins, Senior Appraiser, duly sworn, testified that she did see telephone poles and telephone wires; and, in her opinion, those telephone wires are all over the neighborhood. She did not recall that this impacted the subject property any more than other properties.

In rebuttal, Petitioner Spooner reiterated her concerns about the power poles and being compared to the lots across the street that have underground power. Chairman Fox noted that his point in the previous hearing, which the Petitioner referred to, was that it was his understanding from the testimony that there were no power poles where the subject property is. Petitioner Spooner stated that she is next door to Mr. Iveson and shares the same power poles. Chairman Fox stated that it was his understanding from the testimony that there were no power poles where the subject property is, and added that that was why he made sure the adjustment was site-specific.

Member Schmidt asked if these are exactly the same poles as in the previous hearing. Petitioner Spooner confirmed that was correct. In response to a further

question by Member Schmidt, the Petitioner replied the poles are shared and they are on the power company easement.

The Chairman closed the hearing.

Member Schmidt stated he was not inclined to support a reduction on the subject property for the power poles. He noted the property does not meet the threshold for an upward adjustment for size, and added that the additional 10 percent size does give it additional buffer from the power poles. He further stated there has been no demonstrable evidence presented, such as photographs; and the subject is not only a ten percent over-sized lot, but it is an almost perfectly square lot that is further in on the cul-de-sac.

Based on the FINDINGS that the Assessor recommended a reduction in the land value to remove the view premium on the subject property, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-062-47 be reduced to \$200,000 and that the taxable value of the improvements be upheld for a total taxable value of \$410,779. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-642E HEARING NO. 167 – WILLIAM W. AND HILDEGARD BAKER
PARCEL NO. 041-062-38

A petition for Review of Assessed Valuation received from William and Hildegard Baker, protesting the taxable valuation on land and improvements located at 4170 Plateau Road, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS-13 and designated single-family residence.

Chairman Fox noted there appeared to be no one present to represent the Petitioner and asked the Appraiser to do his presentation.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property. He advised that after conducting a physical inspection of the subject, the Assessor is recommending removing the five percent view adjustment on this property, as well as applying an additional five percent downward adjustment due to the poor shape of the parcel.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Member Schmidt asked for verification as to whether there are any power poles on this property. Appraiser Wilson indicated that, to his knowledge, there were not; and he confirmed that they are closer to the comparables.

The Chairman closed the hearing.

Based on the FINDINGS that the view adjustment should be downgraded and because of the property shape, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-062-38 be reduced to \$180,000 and that the taxable value of the improvements be upheld for a total taxable value of \$301,213. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-643E HEARING NO. 137 – JAMES L. AND DEBORAH J. MORGAN
PARCEL NO. 041-051-28

A petition for Review of Assessed Valuation received from James and Deborah J. Morgan, protesting the taxable valuation on land and improvements located at 4137 Plateau Road, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 8, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He further stated the Assessor would stand on their written presentation and Exhibit III, and recommended that the value be upheld.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-051-28 be upheld.

04-644E HEARING NO. 123 – HOWARD W. AND NANCY D. OLSEN, TR.
PARCEL NO. 041-062-69

A petition for Review of Assessed Valuation received from Howard W. and Nancy D. Olsen, Tr., protesting the taxable valuation on land and improvements located at Plateau Road, Lot B, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated vacant single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He further stated the Assessor would stand on their written presentation and Exhibits II and III, and recommended that the value be upheld.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-062-69 be upheld.

APPROVAL OF MINUTES

Chairman Fox stated the Board was in receipt of minutes from January 22, 2004 and January 23, 2004 and asked if the Board members had reviewed them.

Member Obester indicated that on both sets of minutes his first name should be spelled without an "H." He also noted that he was absent on January 22nd and would abstain from voting on those minutes. He further noted that on page 394 of the January 22 minutes, the motion on Item No. 04-245E does not indicate his absence.

Member Schmidt indicated that he has been preparing for his attendance at the Department of Taxation workshop in Carson City, and had not had the opportunity to review the minutes so he would be abstaining on any vote.

On motion by Member Allison, seconded by Member Sparks, which motion duly carried with Members Obester and Schmidt abstaining, Chairman Fox ordered that the minutes of the January 22, 2004 meeting be approved as corrected.

On motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Schmidt abstaining, Chairman Fox ordered that the minutes of the January 23, 2004 meeting be approved.

PUBLIC COMMENTS

There was no response to the call for public comments.

4:25 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 26, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy, Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

THURSDAY

9:00 A.M.

FEBRUARY 26, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Marcia McCormick, Alternate Member
Jon Obester, Member
Steven Sparks, Member

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
David Watts-Vial, Deputy District Attorney
Theresa Wilkins, Senior Appraiser

ABSENT:

Gary Schmidt, Member

The Board met pursuant to a recess taken on February 25, 2004 in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWALS

The following hearings scheduled for the February 26, 2004, agenda were withdrawn by the Petitioners:

Hearing No. 79, Byron H. and Melissa S. Green, Parcel No. 041-273-10

Hearing No. 59, Mary B. Mutz, Parcel No. 214-202-04

Hearing No. 218, Michael Baxter, Parcel No. 216-040-10

9:00 A.M. – BLOCK 1

DISCUSSION AND ACTION – POSSIBLE CONSOLIDATION OF HEARINGS

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the Board would first consider the hearings where the Petitioners were present, then consider any petitions where a letter or additional information was submitted, and then any remaining hearings that assert the same or similar reason(s) for the appeal would be consolidated.

Chairman Fox outlined the process for the hearings and the order of the day. He explained the role of the Board of Equalization and the Board's limited jurisdiction. He confirmed that the Board makes no decisions regarding taxes. He also

reviewed the functions of the State Board of Equalization for the people present at the meeting.

04-645E HEARING NO. 92 - DAROLD D. AND KATHLEEN S. MEHLHAFF
PARCEL NO. 041-130-03

A petition for Review of Assessed Valuation received from Darold D. and Kathleen S. Mehlhaff, protesting the taxable valuation on land located at 8605 Bellhaven, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned A2-11 and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Kathleen S. Mehlhaff, the Petitioner, was sworn, submitted documents and photographs, Exhibit A, and testified that a ravine and ditch occupy an acre of the three-acre parcel, and that area is not useable or easily accessible. She explained that the Steamboat ditch with an easement runs through the property. The Petitioner said she spoke with Appraiser Wilson, and he did agree to reduce the land value by five percent because of the Steamboat ditch. She stated she was requesting an additional five percent due to the non-usage of the one-acre of land and the easement. Petitioner Mehlhaff said she had noticed other properties in the area were given five to ten percent reductions for topography and easements. She further testified that the base lot value of \$300,000 was too high. It was the same base lot value being used on developments near her home in a gated community with two-acre lots, landscaping, waterfalls, fencing and underground utilities, while her lot has a well and septic system. The Petitioner pointed out further differences between her parcel and the new parcels in the gated community. She acknowledged the comparables used by the Assessor and noted that the subject parcel does not have water rights, while some of the comparables include the water rights. Ms. Mehlhaff requested the land value be reduced \$25,000-\$50,000.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He explained the recommendation for a reduction due to the Steamboat ditch. He stated the Assessor would stand on their written record of Exhibit III.

In response to Member Sparks, Appraiser Wilson explained which land sales used as comparables had wells existing at the time of the sale. He noted that two of the land sales were inferior to the subject parcel. He acknowledged that the most current sale in the area took place in October of 2003, it was subject to the similar considerations, and it sold for \$500,000.

In rebuttal, the Petitioner said the lot that sold next door was a better lot because it was flat and all three acres were useable. She stated the home that sold in October of 2003 was on an exclusive street, and the homes in that area were newer.

The Chairman closed the hearing.

Chairman Fox commented that when there was a recent sale of the subject parcel and the taxable value was less than the sales price, it was hard to refute.

Based on the FINDINGS that adverse factors (Steamboat ditch) were not considered by the Assessor, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-130-03 be reduced to \$300,000 and that the taxable value of the improvements be upheld for a total taxable value of \$438,043. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**04-646E HEARING NO. 92 – PATRICK E. & ANGELINE M. DOUGLASS,
TR. - PARCEL NO. 041-130-41**

A petition for Review of Assessed Valuation received from Patrick E. and Angeline M. Douglass, Tr., protesting the taxable valuation on the land located at 3820 Lone Tree Lane, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned A-2-12 and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Patrick E. Douglass, the Petitioner, was sworn in. Member Allison disclosed that she knew the Petitioners and would be abstaining from the hearing.

Mr. Douglass testified that he could not find one of the comparable sales and was not in agreement with the comparables used by the Assessor. He noted the vacant land sales used by the Assessor, specifically the \$100,000 sale. The Petitioner questioned the amount credited for a well. Chairman Fox explained that the legislature makes the laws in Nevada, and the statutes require the Department of Taxation to set the cost factors to be used by the Assessor. He further explained the Assessor has determined to use Marshall & Swift, and the numbers the Petitioner was referring to were from Marshall & Swift. The Petitioner said that the neighborhood was unique with older and newer properties being sold. He believed the personal opinion of the Assessor was not appropriate in deciding value.

In response to Chairman Fox, Mr. Douglass explained that in 1993 he bought nine acres of land consisting of two parcels and a 2,400 square foot home, and in time the home was sold. He said that he arrived at \$202,500 for the market value of the land based on sales in the area, and he described those sales.

Member McCormick asked the Petitioner about the cost of building his home. He responded it was approximately \$520,000, with the well and septic system. He said he was disputing the land value and did accept the increased value of the improvements.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He stated the Assessor would stand on their written record of Exhibit III. Appraiser Wilson commented on the \$100,000 land sale the Petitioner mentioned and said that it was in no way comparable to the subject parcel because there was a drainage ditch that ran through three of the parcels that were side by side near that parcel. He explained that much fill was needed in order to build on the parcel, as compared to the subject lot that was a buildable site from the start. Appraiser Wilson acknowledged that the neighborhoods of Dryden and Johnson were considered as inferior areas compared to the subject lot.

In response to Member Sparks, Appraiser Wilson explained that the homes in Lakeside Estates would be superior to the subject parcel area because of the municipalities and underground utilities. He considered the two areas comparable because of the lot sizes and location. He acknowledged the differences of the municipal services, and the decrease of the building envelope on the lots in the Lakeside Estates area due to the wetlands. Appraiser Wilson stated he did not have a monetary figure to place on the lots that have municipal services. He said he noticed the amount of useful area on the lot determined the price when he looked at the Lakeside Estates sales.

In rebuttal, the Petitioner said that Lakeside Estates were favorable because of the green belt and CC&R's (Covenants, Codes and Restrictions) that help to maintain a quality development. He stated the subject parcel was similar to homes in the Dryden area and comparables needed to come from that neighborhood. The Petitioner said the parcel that sold for \$100,000 was not a terrible parcel because of the view.

In response to Member Sparks, the Petitioner gave his opinion that it would cost \$23,000 for a well, approximately \$10,000 for a septic system, and the cost for underground utilities would be substantial. Mr. Douglass said the cost to maintain the asphalt road for the past year was \$19,000, which was split with three other area homeowners.

The Chairman closed the hearing.

Member Sparks stated that the base lot value of the subject parcel and those in the area should be reduced because the lots do not have the municipalities of the Lakeside Estate parcels. He said that the information the Petitioner presented showed the base lot value should be reduced by ten percent to cover the costs involved for them to put in wells and septic systems. Member Obester also questioned the base lot values.

Member McCormick stated that people have come before the Board in the past stating that they preferred to have their own well and septic system to that of city

services. Member Sparks said that in years past he would agree with Member McCormick, but now as the water table has dropped in Southwest Reno those same people may not believe having their own well was the best thing.

Member Sparks moved to reduce the land value to \$243,000. The motion died for lack of a second. Member McCormick moved to uphold the Assessor's value. That motion also died for lack of a second.

Member Obester questioned if the Board could lower the base lot value for the subject property, without reducing the entire appraisal area. David Watts-Vial, Legal Counsel, advised that the Board could lower the value of the one property. Mr. Watts-Vial noted a case last year where the Board had a similar situation and the decision was made that the Board could adjust the one property, and the remaining properties would have to be agendized. He said that, because this Board has to complete all its work by February 29, 2004, it seemed highly unlikely that could happen in this case.

Member Sparks inquired if the previous hearing could be reopened, and Legal Counsel confirmed that the Board could reopen a hearing through a motion.

Chairman Fox said that he would abstain from the vote because a change in the base lot value could affect property that his family members own.

Following further discussion, Member Sparks moved to reduce the land value to \$243,000. The motion was seconded by Member McCormick, but upon call for the vote, the motion failed with Member Sparks voting "yes," Members McCormick and Obester voting "no," and Members Fox and Allison abstaining.

Member Obester moved to uphold the Assessor's taxable value on the land. The motion was seconded by Member McCormick, but upon call for the vote, the motion failed with Members Obester and McCormick voting "yes," Member Sparks voting "no," and Members Fox and Allison abstaining.

Nevada Revised Statute 361.340(9) provides that, "A majority of the members of the county board of equalization constitutes a quorum, and a majority of the board determines the action of the board." The Board failed to pass any motions by the required three affirmative votes, which results in no action being taken on the Petition for Review of Assessed Valuation filed by Patrick E. and Angeline M. Douglass.

The Board failed to pass any motions by the required three affirmative votes. Such a failure amounts to a "non-action," and, by default, the Assessor's taxable value of the land on Assessor's Parcel No. 041-130-41 was upheld.

A petition for Review of Assessed Valuation received from Stephen G. and Margaret A. Turner, Tr., protesting the taxable valuation on the land located on Quail Valley Road, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated vacant land.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

Stephen G. Turner, the Petitioner, was sworn, submitted a letter, Exhibit A, and testified that he has owned the property for 20-21 years. In his letter he gave an analysis of why he believed the Assessor's valuation was incorrect. Mr. Turner noted that the parcel was part of the Pines PUD. His case was outlined in detail in his letter, and he stated that the valuation should be lowered due to the fact that 70 to 80 percent of the 41-acre vacant parcel was not developable due to steepness and adjacent power lines affect the parcel. He said the Assessor was not aware that this parcel has been designated for only 11 developable lots, whereas most of the other 40-acre parcels in this area will be able to develop with much greater densities. The Petitioner commented on the comparables and how they differed from his parcel in view, topography and the ability to develop, stating they were superior to his parcel. He explained how he arrived at what he believes is the taxable land value.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's taxable value does not exceed fair market value. He said it was more appropriate to look at the parcel on a per acre basis. Appraiser Wilson explained that this was supported by the Whispering Pines subdivision that used to be part of this PUD. He advised that adjustments were given to the subject parcel due power lines; and, after inspecting the property, he feels an additional ten percent downward adjustment warranted based on the poor shape of the parcel and topography that limit the development potential of the property. He stated the Assessor would stand on their written record of Exhibit III.

In response to Member McCormick, Appraiser Wilson explained that PUD was referring to City of Reno type of zoning, and not the private property owners.

Member Sparks discussed the chart presented by the Petitioner, lot sales and development of the parcels with Appraiser Wilson. Appraiser Wilson stated it was difficult to evaluate these 40-acre parcels on a per lot basis when several of them do not have an assigned number of lots.

In rebuttal, the Petitioner stated that the Assessor's office was under the misconception that they were dealing with a density subdivision that could be developed quickly up to the time that he spoke with Appraiser Wilson in January of 2004. Mr.

Turner explained that all of the appraisal studies were based on the initial assumption by the Assessor's office, which was flawed. He acknowledged his appreciation of the work Appraiser Wilson completed for him, but was disappointed that the information he had gathered from prior appraisal studies was not forwarded to him. He said that all of the other 40-acre parcels have densities assigned to them than the subject. The Petitioner disputed the comparables, noting that one was about to become a density subdivision.

The Chairman closed the hearing.

Chairman Fox commented that, with this type of a property, the number of lots that are available under the current PUD restrictions was an important ingredient, and the best unit of comparison for valuing the parcel.

Member Sparks stated the per lot and per acre comparison was not as divergent as the Petitioner believed, and he supported the Assessor's recommendation.

Based on the FINDINGS that adverse factors were not considered by the Assessor, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-230-05 be reduced to \$393,800. The Board also made the findings that with this adjustment, the land was valued correctly and the total taxable value does not exceed full cash value.

04-648E HEARING NO. 27 – INGRID E. AND BENJAMIN BARBASH
PARCEL NO. 041-391-04

A petition for Review of Assessed Valuation received from Ingrid E. and Benjamin Barbash, protesting the taxable valuation on the land located at 4631 Olmsted Court, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Pat O'Hair, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

Benjamin Barbash, the Petitioner, was sworn, submitted a letter, Exhibit A, and testified that he questioned the land value and objected to the \$18,800 increase in property values in one year.

Chairman Fox stated that the Board does not make any presumption that any previous value was correct.

Appraiser O'Hair reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He said the best improved sale was the subject itself that sold for \$355,000 in March of 2003. Appraiser O'Hair stated the Assessor would stand on their written record of Exhibit III.

In rebuttal, the Petitioner explained that the backyard had been so contoured that nothing could be done with it, except landscaping, and the only usable area in the backyard was the patio. He disputed the comparable land sales, stating they were semi-level lots, while his lot was specifically contoured for water drainage.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-391-04 be upheld.

04-649E HEARING NO. 86 – SUZANNE M. NOLAN, TR.
PARCEL NO. 041-392-16

A petition for Review of Assessed Valuation received from Suzanne M. Nolan, Tr., protesting the taxable valuation on the land located at 4705 Sommerville Way, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Pat O'Hair, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

Suzanne Nolan, the Petitioner, was sworn, submitted documents and a photograph, Exhibit A, and testified that she was disputing the taxable value of the land because her home backs up to an elementary school. She said it was a detriment to her parcel due to noise. In terms of the comparables, Ms. Nolan stated that the Castle Ridge subdivision was superior to the Village Green area. She mentioned homes near her area that received adjustments due to the shopping area, and she felt she should receive an adjustment due to the noise from the school. The Petitioner confirmed that the school was there when she bought the home.

Appraiser O'Hair reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He said that the subject parcel had a better-quality view than all the land sales listed which was reflected in the 20 percent view premium placed on the property. Appraiser O'Hair acknowledged that Castle Ridge was considered a superior subdivision to Village Green, and that was reflected in the differences in the base lot values of \$90,000 and \$80,000, respectively. He clarified that the school was not considered a detriment because many people would like to be near a school for transportation reasons and knowing that if rezoning took place it would not affect them. Appraiser O'Hair stated the Assessor would stand on their written record of Exhibit III.

In rebuttal, the Petitioner stated that the school was as much of a detriment as the shopping center, and she would have a great city view if her home was two-stories, but it was only one-story. She did not agree that her view was superior because of the location of the school.

The Chairman closed the hearing.

Chairman Fox stated the view was obstructed by the school, and he did not see the justification for the 20 percent view premium on the parcel.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-392-16 be reduced to \$80,000 and the taxable value of the improvements be upheld for a total taxable value of \$260,533. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-650E HEARING NO. 61 – EDWIN R. LINK, ET AL
PARCEL NO. 041-522-13

A petition for Review of Assessed Valuation received from Edwin R. Link, et al, protesting the taxable valuation on land and improvements located at 4790 Bradford Lane, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Pat O'Hair, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

Edwin Link, the Petitioner, was sworn and testified that his lot was the smallest in the subdivision, and it was a sloped lot. He said the subject property was surrounded by a shopping center, professional buildings, and a large professional complex. Mr. Link spoke of the percentage of increases in a short period of time for his land and building values, and he stated he disagreed with the increases. He acknowledged that all counties in Nevada have to use a cost approach in assessing properties, and he did not understand why he continues to hear about comparable sales.

Appraiser O'Hair reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He explained that the Vantage Point subdivision was inferior to the Castle Ridge subdivision in both home quality and lot size; and this was reflected in the base lots values of \$70,000 and \$90,000, respectively. Appraiser O'Hair stated the Assessor would stand on their written record of Exhibit III.

In rebuttal, the Petitioner questioned if a zero lot line, which his property has, was positive or negative. He said that his lot was not level and was very close to his neighbor. Mr. Link disputed the three comparables because they were all level lots.

The Chairman closed the hearing.

Chairman Fox said that it was the Assessor's obligation to demonstrate that taxable value does not exceed full cash value and that was the reason for the information given on the comparable sales.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-522-13 be upheld.

04-651E HEARING NO. 74 – SHICK H. AND SUSAN YEE
PARCEL NO. 041-601-01

A petition for Review of Assessed Valuation received from Shick H. and Susan Yee, protesting the taxable valuation on land and improvements located at 4650 Aberfeldy Road, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated 020/single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property.

Susan Yee, the Petitioner, and Charles Kettering, present to assist Ms. Lee, were sworn, and submitted a letter, Exhibit A. The Petitioner testified that although the lot was considered a premium lot, the noise from the traffic on McCarran Boulevard needed to be considered when assessing the subject parcel. She said she did not agree with the square footage recorded by the Assessor. She believed the cathedral ceilings were not measured. Ms. Yee compared her home to IS-1 (improved sale) and said her home was not an \$825,000 home because it does not have the upgrades of IS-1.

In response to Chairman Fox, the Petitioner stated that IS-1 did back up to McCarran Boulevard, but the impact of the noise was greater on the subject parcel.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He noted that all the comparables back up to McCarran Boulevard. He explained that he did go to the home and make the corrections, as referenced by the Petitioner. Appraiser Wilson confirmed that the new square footage resulted in the recommendation to reduce the taxable value of the improvements. He discussed the view premiums to explain his decision to reduce them from 90 percent, which was set by the developer, to 75 percent. He referenced the "Castle Ridge Area View Adjustments Analysis" he had completed for

this purpose. He noted that his analysis took into consideration the impact of the traffic noise. Appraiser Wilson stated the Assessor would stand on their written record of Exhibit III.

In rebuttal, the Petitioner stated that her home was straight down from McCarran Boulevard and the noise from the traffic prevents her from using certain areas of her home, and she requested the Assessor reduce her value due to the noise. Mr. Ketteridge stated that the Petitioner accepted the change in the square footage, but there should be a noise abatement allowed for the detriment.

The Chairman closed the hearing.

Chairman Fox confirmed that the traffic noise from McCarran Boulevard was a nuisance, but what needed to be examined was the market reaction to the noise. He said the Assessor has shown that the noise has not affected the market value of these homes.

Member Obester acknowledged that the presentation was the best work he had seen from the Assessor. He said it clearly substantiated that the market had taken care of the problem, if indeed there was a problem.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-601-01 be upheld and that the improvements be reduced to \$432,564 for a total taxable value of \$590,064. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-652E HEARING NO. 98 – MARY Z. NELSON
PARCEL NO. 041-392-18

A petition for Review of Assessed Valuation received from Mary Z. Nelson, protesting the taxable valuation on land and improvements located at 4775 Sommerville Way, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Pat O'Hair, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser O'Hair explained that the subject parcel abuts the elementary school, and a 20 percent view premium was placed on the lot. He stated the Assessor would stand on their written record of Exhibit III.

In response to Chairman Fox, Appraiser O'Hair commented that the school did affect the view of the subject parcel.

The Chairman closed the hearing.

Member Allison noted that the view premium was removed in a hearing earlier in the day for a lot that was located near the subject parcel, and this parcel should be adjusted in a similar fashion. She said that both lots abutted the elementary school and the views were impacted by the school.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-392-18 be reduced to \$80,000 and the taxable value of the improvements be upheld for a total taxable value of \$262,229. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-653E HEARING NO. 49 – PHILIP E. AND PATRICIA C. BENDER
PARCEL NO. 041-561-18

A petition for Review of Assessed Valuation received from Philip E. and Patricia C. Bender, protesting the taxable valuation on land and improvements located at 4593 Village Green Parkway, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Pat O'Hair, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser O'Hair acknowledged the many questions of the Petitioner in his letter, and he stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried with Member Obester abstaining, it

was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-561-18 be upheld.

04-654E HEARING NO. 75 – RICHARD M. MASON
PARCEL NO. 041-601-03

A petition for Review of Assessed Valuation received from Richard M. Mason, protesting the taxable valuation on land and improvements located at 4630 Aberfeldy Road, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Wilson said that he spoke with the Petitioner about the legal questions raised in his letter. The Petitioner said he believed the system of taxation was unconstitutional. Appraiser Wilson stated the Assessor would stand on their written record and Exhibits II and III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-601-03 be upheld.

04-655E HEARING NO. 17 – A.M. AND SHIRLEY J. CRYER, TR.
PARCEL NO. 041-612-07

A petition for Review of Assessed Valuation received from A.M. and Shirley J. Cryer, Tr., protesting the taxable valuation on the land located at 4680 Aberfeldy Road, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated 020/single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Wilson stated the Assessor would stand on their written record of Exhibit III.

In response to Member Sparks, Appraiser Wilson stated that he considered this lot to have a city view and not a mountain view.

In response to the letter, Chairman Fox stated that there was no statutory limitation on the magnitude of changes in assessed value.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member McCormick, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-612-07 be upheld.

04-656E HEARING NO. 135 – BARBARA CROUSE
PARCEL NO. 041-365-02

A petition for Review of Assessed Valuation received from Barbara Crouse, protesting the taxable valuation on the land located at 3659 Crestridge Way, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned SF-9 and designated single-family residence.

Pat O'Hair, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 12, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser O'Hair stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-365-02 be upheld.

04-657E HEARING NO. 100 – IRA B. AND ANN F. PAULY
PARCEL NO. 041-601-02

A petition for Review of Assessed Valuation received from Ira B. and Ann F. Pauly, protesting the taxable valuation on land and improvements located at 4640 Aberfeldy Road, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Wilson acknowledged that the subject parcel was a view lot that backed up to McCarran Boulevard. He stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Chairman Fox said that the petition stated excessive increase, and he stated that there was no statutory limitation on the magnitude of changes in assessed value. Additionally the petition stated that the Assessor's appraisal was not supported by comparable vacant land sales, and Chairman Fox affirmed that the appraisal was well supported by them.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 041-601-02 be upheld.

11:55 p.m. The Board recessed.

1:30 p.m. The Board reconvened with all members present as in the morning session. Alternate Member McCormick sat in place of Member Schmidt.

1:30 P.M. BLOCK

Chairman Fox outlined the process of the hearings and the order for the afternoon for those in attendance at the meeting.

04-658E **HEARING NO. 35 - CHARLES W. KETTERING, TR.**
PARCEL NO. 041-612-09

A petition for Review of Assessed Valuation received from Charles W. Kettering, Tr., protesting the taxable valuation on land and improvements located at 4660 Aberfeldy Road, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 13, and oriented the Board as to the location of subject property.

Charles W. Kettering, the Petitioner, previously sworn (Item 04-651E), was present and submitted a letter and photographs, Exhibit A. He testified that the view premium should be less than 75 percent, as compared to the homes on Bradford Court that received a 40 percent view premium. Mr. Kettering said the homes on Bradford Court sit directly above McCarran Boulevard and are closer to downtown Reno. He stated there were seven homes on Bradford Court that received discounts for traffic. He explained when he bought the lot, traffic noise was a possible factor and now it was a distinct factor. The lot itself was built on fill and the home has begun to experience settling problems, including cracks throughout the home and the patio wall pulling away from the home. The Petitioner acknowledged the utility box was on his property and he felt allowance should be made for that.

Appraiser Wilson explained the Assessor was called out to measure the home to confirm the square footage, and the result was a recommendation to reduce the value of the improvements. He reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He said that Exhibit III supported the adjustment for the view premium and the time adjustment. Appraiser Wilson stated the Assessor would stand on their written record of Exhibit III.

In response to Chairman Fox, Appraiser Wilson stated the Petitioner did not give him any information about the costs that would be involved to repair the damage from the settling of the home.

In response to Member Obester, Appraiser Wilson explained that he did not complete the analysis on Bradford Court, so he could not address the view premium in that area. He said he did complete a thorough analysis on Aberfeldy Road and that information was found in Exhibit III. He stated different neighborhoods command different view premiums.

Appraiser Pat O'Hair confirmed that the base lot values on Bradford Court were \$70,000, and Appraiser Wilson acknowledged that the base lot values on Aberfeldy Road were \$90,000.

In rebuttal, the Petitioner stated that the five percent to ten percent adjustments given to the homes on Bradford Court for traffic and noise should be allowed for his property. Mr. Kettering said his parcel was impacted more by the traffic. He also questioned the difference allowed for the view premium.

Chairman Fox explained to the Petitioner that the issue was how the market reacts to the conditions in the area.

The Chairman closed the hearing.

Member Allison commented that she agreed with the comparables and she acknowledged that the Petitioner would like the Board to reduce the taxable value of the land, but she did not see a lot that could be purchased in the area, with a view, for

\$157,500. She said the taxable value was substantially lower than the market value.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 041-612-09 be upheld and the taxable value of the improvements be reduced to \$371,569 for a total taxable value of \$529,069. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-659E HEARING NO. 65 - THOMAS LOUDERBACK, TR.
PARCEL NO. 218-143-05

A petition for Review of Assessed Valuation received from Thomas Louderback, Tr., protesting the taxable valuation on land and improvements located at 4478 Troon Court, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

Thomas Louderback, the Petitioner, was sworn and testified that he was in agreement with the recommendations of the Assessor.

Appraiser Wilson explained that there was a deep ravine that runs behind the subject property and his backyard was steeply sloped cutting into the full use of the area. He stated he is recommending the land value be discounted five percent due to the topography. Appraiser Wilson also recommended that the view premium be adjusted from 60 percent to 50 percent. Appraiser Wilson stated the Assessor would stand on their written record of Exhibit III.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors (view and topography) were not considered by the Assessor, and as recommended by the Assessor, on motion by Member McCormick, seconded by Member Allison, which motion duly carried with Member Obester abstaining, it was ordered that the taxable value of the land on Assessor's Parcel No. 218-143-05 be reduced to \$174,000 and the taxable value of the improvements be upheld for a total taxable value of \$648,179. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-660E HEARING NO. 31 - GUY C. AND LYNDA S. MORRIS
PARCEL NO. 218-062-09

A petition for Review of Assessed Valuation received from Guy C. and Lynda S. Morris, protesting the taxable valuation on land and improvements located at 4738 Village Green Parkway, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which the Board reviewed and discussed.

Appraiser Wilson stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 218-062-09 be upheld.

04-661E HEARING NO. 34 - GEORGE N. AND MERRIE E. BENESCH, TR.
PARCEL NO. 230-091-02

A petition for Review of Assessed Valuation received from George N. and Merrie E. Benesch, Tr., protesting the taxable valuation on the land located at 3630 Lamay Lane, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned A-2-HDR and designated vacant.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted documents, Exhibit A, which the Board reviewed and discussed.

Appraiser Wilson explained that the Petitioner had drilled two wells on the parcel; and, according to Doug Coulter of the Washoe County Health Department, there was no minimum threshold for well production in order to receive a building permit. Appraiser Wilson said the first well might have been sufficient for a single-family dwelling. The petition noted that both wells did not produce water and had to be sealed and, without water, the lot was unbuildable. He stated the Assessor would stand on their

written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 230-091-02 be upheld.

04-662E HEARING NOS. 210, 80, 18, 63, 174, 158, 96, 114

Petitions for Review of Assessed Valuation received from the Petitioners listed below, protesting the taxable valuation on land and improvements located in Washoe County, Nevada, was set for consideration at this time. The specific location, zoning and present use of the parcels was stated on each individual petition.

Chairman Fox noted there were no more Petitioners present for the remaining hearings, and there were no letters or additional information provided for the Board to examine. He inquired of the Board and the Assessor's office if there were any reasons why the hearings could not be consolidated, and no reasons were stated.

Member Sparks commented that the petitions stated that either there has been too much of a percentage increase or that the taxes were too high. No petition offered any evidence and only one asked for relief from the Board.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the remaining petitions be consolidated.

Chairman Fox again asked if there was anyone present representing any of the remaining Petitioners. There was no response.

The Clerk called each hearing and parcel number separately.

Appraiser Josh Wilson, duly sworn, stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on the following Assessor's Parcel Nos. be upheld:

Hearing No.	Petitioner	Parcel No.
210	Bradley D. Davis	041-612-08
80	Bruce and Susan Tebbutt	218-043-06

18	Robert C. and Marian R. Stroh	218-052-09
63	Richard M. and Susan L. Interdonato	218-073-08
174	Karl J. Neuffer	218-151-05
158	John P. Powers, Jr., et al	218-193-07
96	James W. and Deanne M. Bradshaw	214-062-06
114	Gerald E. Sr. and Patricia A. Glenn, Tr.	214-143-06

PUBLIC COMMENTS

There was no response to the call for public comments.

* * * * *

2:05 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 27, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

Minutes prepared by
Sharon Gotchy and Lori Rowe
Deputy Clerks

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

FRIDAY

9:00 A.M.

FEBRUARY 27, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Gary Schmidt, Member
Steven Sparks, Member
Jon Obester, Member (p.m. only)

Nancy Parent, Chief Deputy Clerk
Peter Simeoni, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on February 26, 2004 in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

DISCUSSION AND POSSIBLE ACTION - CONSOLIDATION OF HEARINGS

The Board considered the possibility of consolidating petitions. Member Sparks said that today's hearings did not lend themselves to consolidation as previous appeals did. He further requested that the Roll Change Requests be heard at the end of the 9:00 a.m. block. Member Sparks made a motion to so amend the agenda. The motion was seconded by Member Allison and carried unanimously.

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the petitioners:

Hearing No. 179B - Riggs Bank National Assoc. - Parcel No. 025-491-14
Hearing No. 214 - Beach Enterprises LLC - Parcel No. 037-020-28
Hearing No. 199 - Costco Wholesale Corporation - Parcel No. 015-292-26
Hearings Nos. 178A - 178L - Macerich Partnership L.P., Menke, Jones, Leggett, Weller
Parcels Nos. 015-220-01, -08, -18, -24, -25, -31, -36, -37, -38, -46, -47, and -48
Hearing No. 203 - Nevada National Bank - Parcel No. 007-216-32
Hearing No. 202 - Bank Building, Inc. - Parcel No. 001-272-36
Hearing No. 204 - Valley Bank of Nevada - Parcel No. 037-061-04
Hearing No. 205 - Bank Building, Inc. - Parcel No. 026-284-19
Hearing No. LT-1281 - Bank Building, Inc. - Parcel No. 132-012-04

9:00 A.M. - BLOCK

04-663E HEARING NO. 78 - PHILLIP H.GOODMAN, ET AL, TR.
PARCEL NO. 041-062-14

A petition for Review of Assessed Valuation received from Phillip H. Goodman, et al., Tr., protesting the taxable valuation on land and improvements located at 4110 Christy Way, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS-13 and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Josh Wilson noted that this is an increase based on a data entry error. Additionally, Appraiser Wilson stated he had spoken to the Petitioner regarding an easement on the property. Appraiser Wilson is recommending that there be a five percent from the base lot value of \$200,000 due to the easement, upholding the improvement value and adjusting the total taxable value to \$363,291.00. After the adjustment, the Assessor's total taxable value does not exceed fair market value. Appraiser Wilson stated the Assessor would stand on their written presentation and Exhibit III.

Chairman Fox asked if the Petitioner was aware of the changes and the hearing date. Appraiser Wilson confirmed that he was.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and on recommendation by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, with Member Obester absent, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-062-14 be increased to \$210,000.00 that the taxable value of the improvements be upheld for a total taxable value of \$363,291.00. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-664E HEARING NO. 148 - FARAHI INVESTMENT COMPANY
PARCEL NO. 019-333-06

A petition for Review of Assessed Valuation received from Farahi Investment Company, protesting the taxable valuation on land and improvements located at 1175 W. Moana Lane, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned NC and designated offices.

Mark Stafford, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 19, and oriented the Board as to the location of subject property. Appraiser Stafford advised the subject property has carried obsolescence for several years, and in the reappraisal for 2004 the obsolescence was not readjusted. He said the Assessor is recommending reducing the improvement value by increasing the obsolescence to \$215,300. Appraiser Stafford reviewed sales of comparable properties and the income approach to value supporting a total taxable value of \$700,000. He reported he had spoken to the Petitioner, and he was in agreement with the recommended value.

The Petitioner was not present.

The Chairman closed the hearing.

Based on the FINDINGS that obsolescence should be applied to the subject, and on recommendation by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land on Assessor's Parcel No. 019-333-06 be upheld and that the taxable value of the improvements be reduced to \$445,300.00 for a total taxable value of \$700,000.00. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-665E HEARING NO. 149E - GOLDEN ROAD MOTOR INN, INC.
PARCEL NO. 020-254-57

A petition for Review of Assessed Valuation received from Golden Road Motor Inn, Inc., for the Atlantis protesting the taxable valuation on land, improvements and personal property located at 3800 S. Virginia Street, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned HC and designated casino hotel.

Mark Stafford, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 35, and oriented the Board as to the location of subject property. Appraiser Stafford stated there is a reduction recommendation on the property, and the Petitioner is in agreement.

The Petitioner was not present.

Appraiser Stafford stated the recommended reduction was based on an interior inspection and re-evaluation of updated Marshall & Swift calculations for hotels. There are now two classifications i.e., limited service hotel and full service hotel. On re-inspection they found that for a full service hotel the correct classification should be 2.0 versus 2.5. Appraiser Stafford stated the Assessor would stand on their written presentation and Exhibit III. He also noted that the Petitioner withdrew the remainder of the petitions after this adjustment was made.

Chairman Fox reinforced that the appraisal is now based on costing, not obsolescence on the property. Appraiser Stafford noted there is no obsolescence now and that the assessment is only on cost from the updated Marshall & Swift figures. Member Schmidt asked when new Marshall & Swift classifications were published and was told it was within the past 5 years. Member Sparks asked if other income methods were used for assessment. Appraiser Stafford said they were not as that had not been called into question; and, since there was no obsolescence on the property, it wasn't necessary.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and on recommendation by the Assessor, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Obester absent, it was ordered that the taxable value of the land on Assessor's Parcel No. 020-254-57 be upheld, that the improvements be reduced to \$76,076,111.00, and that the personal property be upheld, for a total taxable value of \$92,232,545.00. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-666E HEARING NO. 95A, B, C & D - CIRCUS AND EL DORADO JOINT VENTURE – ASSESSOR PARCELS NOS. 007-291-25, 007-293-19, 007-295-04, 007-295-11

A petition for Review of Assessed Valuation received from Circus and El Dorado Joint Venture, Silver Legacy protesting the taxable valuation on land and improvements located at 407 N. Virginia Street, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned HCD and CB and designated Casino/Hotel, Minor Improvements, and General Industrial.

Mark Stafford, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 40, and oriented the Board as to the location of subject property. Appraiser Stafford noted there is a recommendation and that the Petitioner is in agreement. He directed the Board to page 4 of 40 of Exhibit III, which showed the income calculations for the previous years and the basis for the 2004/2005 value. After the close of the roll, he was contacted by the Petitioner's representative, Bruce Sexton, who notified him that there were additional expenses that had not been shown previously. Based on the updated figures, Appraiser Stafford recommended that the total taxable value should be \$205,000,000.

Chairman Fox asked if the new value was based on obsolescence. Appraiser Stafford said that was correct. Chairman Fox additionally asked if the figures represented were those given to the Nevada Gaming Commission. Appraiser Stafford said he has reviewed both and believed they are.

Petitioner, Les Martin, Vice-President, Chief Accounting Officer and Treasurer with Mandalay Resort Group, owner of the Silver Legacy, was sworn and testified that they are in agreement with the reduction that Appraiser Stafford has recommended. Chairman Fox asked if the figures given were the same as those given to the Nevada Gaming Commission. Mr. Martin said they were.

Member Sparks asked where the figures came from. Mr. Martin stated the figures, which were projections in June 2003, were updated to reflect actual figures as of December 2003. He also asked Mr. Martin if he agreed with the Appraiser's capitalization rate of 18%. Mr. Martin said it might be a little high, but they felt it was fair.

Appraiser Stafford clarified the total figure of \$36,950,000 on page 4 of 40 was based on his calculation. Member Sparks asked if the amount was based on actual figures received from the Silver Legacy for the calendar year 2003. Appraiser Stafford said they were his figures based on projections. Appraiser Stafford said that he believes the incomes are going to go further down, based on the recession in Northern California, less discretionary income for people to go on gaming trips and competition from Tribal gaming in California.

Member Sparks asked how this property compares to the grouping that the Nevada Gaming Commission gives to casinos statewide. Appraiser Stafford noted on page 4 of 40 for FY 2003, the property's EBITDA figure of 22.7 percent is ahead of the statewide percentage from the Nevada Gaming Commission of 15.2 percent. Member Sparks noted that the property has consistently been ahead of those figures. Appraiser Stafford noted that the gaming revenues are declining, while room, food and beverages figures are staying or improving.

Member Sparks asked Appraiser Stafford how he arrived at the 18 percent capitalization rate. Appraiser Stafford said he based it on comparison figures noted on page 1 of 40 of the Exhibit III.

Member Schmidt asked how the trend is calculated. Appraiser Stafford said he bases it on earnings history, follows the gaming market here and in California and makes a reasonable projection. He looks at it as a potential buyer of the property would.

Member Schmidt noted it is subjective but factually based. Member Schmidt asked about the impact of Native American gaming on the local gaming economy. Appraiser Stafford asked him to look at page 3 of 40 of Exhibit III for figures. Appraiser Stafford noted the income losses were less than projected.

Chairman Fox asked if any of the local sales of gaming properties in the last several years had sold for more than the taxable value. Appraiser Stafford said the Gold Dust West, Rail City and Gold Ranch had sold for more than the taxable value.

Member Allison noted that the residential taxable values had been increasing but the trend of gaming properties seems to be decreasing. She asked what other types of information the gaming properties have to provide to the State Gaming Commission. Appraiser Stafford said no other information.

Mr. Martin commented how difficult he felt it was to compare the various casinos. He said that each is a distinct and different property. For example, the downtown properties receive local business so their impact from Native casinos is smaller. He felt that the differences were important.

The Chairman closed the hearing.

Member Schmidt wanted to make clear that the total taxable value for these properties was \$225,000,000 and that it was being reduced to a total taxable value of \$205,000,000.

Based on the FINDINGS that obsolescence should be applied to subject as evidenced by the Assessor's income approach to value and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the following taxable values be established for land, improvements, and personal property:

HRG #	PARCEL #	LAND VALUE	IMP VALUE	PERS PROP	TOTAL
95A	007-291-25	12,261,400	116,386,489	18,598,507	147,246,396
95B	007-293-19	15,106,874	37,855,994	0	52,962,868
95C	007-295-04	525,000	43,668	0	568,668
95D	007-295-11	2,800,000	1,422,068	0	4,222,068
	TOTAL	30,693,274	155,708,219	18,598,507	205,000,000

It was noted \$20,000,000.00 in obsolescence was applied to the improvement value on Assessor's Parcel No. 007-291-25.

04-667E HEARING NO. 108A-I - CIRCUS CIRCUS CASINOS, INC. -
PARCEL NO. 007-213-27, 007-215-31, 007-261-12, 007-261-21, 007-
261-23, 007-261-28, 007-261-29, 007-262-19, 007-262-26

A petition for Review of Assessed Valuation received from Circus Circus Casinos, Inc., protesting the taxable valuation on land and improvements located at 500 North Sierra Street, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned HCD and designated Casino/Hotel.

Mark Stafford, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 56, and oriented the Board as to the location of subject property. Chairman Fox asked if the entities are operating as a single property. Appraiser Stafford said they are and the breakdown is found on page 2 of 56 of Exhibit

III. He further stated he is making a minor reduction recommendation from a total taxable value of \$97,000,000 to \$95,000,000.

Les Martin, Vice-President, Chief Accounting Officer and Treasurer, Mandalay Resort Group, previously sworn, was present representing Circus Circus Casinos, Inc.. Mr. Martin submitted documents expressing the owner's opinion of value, Exhibit A, and testified that he believes the figures Appraiser Stafford used to base the reduction on are over-stated. He said he believed the correct value of the subject properties is in the vicinity of \$65,000,000. Mr. Martin said that the shortcoming in the Assessor's report is not adequately taking into account the impact on the revenues of Circus Circus of the Thunder Valley Casino located in Northern California near Sacramento. He said that in the last four years, Circus Circus' income has declined from \$28.7-million to \$11.4-million. Chairman Fox asked if he attributed all of this decrease to the Native American gaming. Mr. Martin said he did. He noted that in just this year, the income has declined from \$19.9-million to \$11.4-million. He attributes this last year's loss to the opening of Thunder Valley. He said Washoe County's total gaming loss for calendar quarter December 2003 was 3.5 percent, and Circus Circus' loss during that time was 10 percent. He said they are more dependent on the Northern California customers than some of the other casinos. The people who come to their casino are low to middle class and are "day-trippers" that don't spend as much.

Mr. Martin noted that the Assessor's values have consistently been over actual values. He said over the past few years it has been overstated by from \$2.6-million to \$9-million. He believes that they should be assessed on actual incomes and reviewed his current and forecasted figures. Mr. Martin stated that the figures for June 2003 were close to correct, but at the end of January 2004, the projections turned out to not be true. He wanted the Board to consider the figures from the most recent actual amounts using an 18 percent cap rate. Mr. Martin said they are operating most efficiently, but have been significantly impacted by Thunder Valley. He questioned what a potential buyer would pay for the property and felt no one would not pay \$95-million for this property.

Chairman Fox asked if they are using the same cap rates and multipliers as the Assessor's Office, and Mr. Martin said they are. Member Allison questioned the time period they are requesting to be considered since the Assessor's Office used numbers for June 2003. Mr. Martin stated he wanted the Appraiser to use their most current figures. Chairman Fox stated both are projections.

Member Sparks noted the income statement from the Petitioner would have been more helpful if they had a month-to-month statement to show specifically the income changes from the opening of Thunder Valley. Mr. Martin stated he had information from June to November 2003 showing their EBITDA was off by 48.4 percent.

Chairman Fox asked what Circus Circus is doing to counter the Indian gaming impact. Mr. Martin said they are adding convention facilities and targeting their

marketing to specific potential customers. They are also combining functions such as the Controller is also the Hotel Manager.

Member Sparks noted there was a \$200,000 loss in their payroll, which was to cut expenses. He also asked about the bottom line of the facility and the fixed expenses that the facility cannot go below. Mr. Martin said he didn't have that figure, but believed they are doing all they can now to cut expenses.

Appraiser Stafford noted the comparables on page 1 of 56, in particular the Las Vegas Hilton. He said that sale did not correspond to EBITDA for a multiplier as to value. He said that was also true with the Aladdin sale in Las Vegas. The negative trend in income was not as important to the buyers there. Appraiser Stafford said one year may not make a trend, and on page 3 of 56, he noted they were declining faster than Washoe County in general, but not that much more. On page 4 of 56 he noted that though gaming is declining, the other areas such as food, rooms and beverage were going up during 2002-2003.

Chairman Fox asked when Thunder Valley opened. Appraiser Stafford noted they opened in July 2003. The opening of Thunder Valley is noted indirectly on page 3 of 56 of Exhibit III by the figures for the calendar year for 2003 showing a loss of 2.4 percent in Washoe County. Appraiser Stafford said Thunder Valley has been very popular since it opened, but it has limited entertainment and no hotel facilities.

Chairman Fox asked what Appraiser Stafford thinks is the reason for the losses Mr. Martin presented today, if not Thunder Valley. Appraiser Stafford said he had not reviewed the figures and needed further information before he could make a decision. He said that often there are other expenses, such as rent, that may take away from the income; and he would need to review the whole packet first.

Member Allison asked if the 2.4 percent loss noted in Washoe County for calendar year 2003 on page 3 of 56 of Exhibit III represented all Washoe County casinos or only those in the \$36-million and over properties. Appraiser Stafford noted it was all of Washoe County casinos.

Member Sparks noted in the information Mr. Martin presented, there was a five percent overall loss in gross revenues from 2002 to 2003, which translated into a 44.71 percent EBITDA loss. The five percent Circus Circus loss compares to the Assessor's 2.4 percent loss for Washoe County for that same period. Member Sparks wanted to make sure the two percentages were not confused.

Member Allison asked Appraiser Stafford if the figures in the last column on his page 4 of 56 of Exhibit III represented the last six months of 2003 with actual figures. Appraiser Stafford said they were not actual figures for that time period, but a typical projection based on previous activity.

Member Schmidt asked again about the sale of the Las Vegas Hilton on page 1 of 56 of Exhibit III, which had a comp rate much less than Circus Circus. Appraiser Stafford said he thought the Hilton was closer in comparison to Circus Circus than the Silver Club in Sparks, which had a 17.8 comp rate. He brought up the Hilton sale because, though the EBITDA figure was low, that did not follow in the price that was paid for it; and he believed that would be true of Circus Circus also. Appraiser Stafford said, although the EBITDA may be low, that doesn't mean the value is low.

Mr. Martin noted the shortcomings of comparing Circus Circus to the Las Vegas Hilton. He said he believes that the Las Vegas Hilton was purchased for the amount it was because of its size and location.

Chairman Fox said they agreed on the cap rates of each of the properties, so that was not an issue. Mr. Martin further stated it was very difficult to compare properties, and he believes Circus Circus has been the most negatively impacted property in Washoe County by Thunder Valley. Mr. Martin responded that they have flexibility in increasing their prices for rooms, beverages and food and that accounts for the increase Appraiser Stafford noted in his statistics. He said the reality is the total number of customers is declining. He said, if people only want to gamble, they would go where it is close and not drive to Reno.

Member Sparks asked if a potential buyer of Circus Circus would base a decision more on previous performance or projected performance in deciding market value. Mr. Martin said that he felt the cap rate of 18 percent for this market was too high.

Member Schmidt also asked about the projections and current earnings for a potential buyer to make a purchase decision upon. Mr. Martin said if someone wanted to buy and remodel Circus Circus, they could do it and maybe do better; but he believed that they are doing all they can with the property at this time.

The Chairman closed the hearing.

The Chairman said he felt the income approach to value would be the best way to evaluate this property, but the question is which income figures should be used. Chairman Fox said he agrees that Thunder Valley has had and will have an impact on the Reno market.

Member Allison said she felt that the properties are designed to be taken as a whole, not as separate entities. Chairman Fox said that the three properties, Circus Circus, Eldorado and Silver Legacy were designed to meet different market segments and that Circus Circus and Thunder Valley were marketing to the same customer. Member Schmidt stated he also believes Thunder Valley and Circus Circus target the same market and that not having lodging is a plus for Thunder Valley because a parking lot is much more cost efficient than a hotel to maintain.

Member Sparks said he was concerned that the Appraiser's projected figures did not take into account the actual figures from the Petitioner; and, if you used those actual figures to project value, it would be less than what the Appraiser has projected. He also said that he believes that the Petitioner has done as much as possible to cut expenses to maintain income at the property. He also noted that in the Petitioner's exhibits there was \$3-million in expenses that are associated with the fixed property and employee expenses that must be maintained.

Member Sparks noted with the EBIDTA adjustments and the loss of the \$3-million and the \$11.7-million loss during the last six months, he would support a reduction of \$14.7-million. Chairman Fox suggested a \$15 million reduction. Member Sparks noted that using page 2 of 56 of the Assessor's Exhibit III which found a total taxable value of \$97-million with a \$15-million EBITDA and a 18 percent cap rate, the total taxable value would be \$83,333,333. Chairman Fox asked that the Assessor calculate the correct figures for the various parcels. Member Schmidt questioned the 18 percent cap rate.

Appraiser Stafford suggested that the \$13,666,667 be taken off Parcel No. 007-262-26 as obsolescence, so it could be reviewed annually.

Based on the FINDINGS that additional obsolescence should be applied to the subject, as evidenced by the Assessor's and Petitioner's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester absent, it was ordered that the following total taxable values be established for land, improvements and personal property:

HRG #	PARCEL #	LAND VALUE	IMP VALUE	PERS PROP	TOTAL
108A	007-213-27	3,830,220	112,313	0	3,942,533
108B	007-215-31	7,688,483	5,226,573	0	12,915,056
108C	007-261-12	222,700	2,608,159	0	2,830,859
108D	007-261-21	1,012,500	4,849,852	0	5,862,352
108E	007-261-23	2,242,500	2,689,336	0	4,931,836
108F	007-261-28	5,847,100	9,222,450	0	15,069,550
108G	007-261-29	514,800	5,661,690	0	6,176,490
108H	007-262-19	993,749	0	0	993,749
108I	007-262-26	14,641,313	6,727,087	9,242,508	30,610,908
	TOTAL	36,993,365	37,097,460	9,242,508	83,333,333

04-668E HEARING NO. 143 - FHR CORPORATION -
PARCEL NO. 012-211-26

A petition for Review of Assessed Valuation received from FHR Corporation, protesting the taxable valuation on land and improvements located at 2500 East Second Street, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned HC and designated Casino/Hotel.

Mark Stafford, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 29, and oriented the Board as to the location of subject property. He advised there is a recommendation on the subject property, and the property owner is in agreement with the proposed new value.

Richard Barrier, Counsel for Caesars Entertainment, and Greg Vorreyer, Director of Finance for the Reno Hilton, representing FHR Corporation, were sworn. Chairman Fox asked if they agreed with the recommendation. They said they did agree.

Appraiser Stafford noted that the subject property was under performing by 66 percent from fiscal year 2000 to fiscal year 2003. The other properties in the market during that same time by contrast had a 25 percent decrease. Chairman Fox asked if he had spoken to the Petitioners regarding the reason they felt the property had not performed as well. Appraiser Stafford stated last year, during a similar discussion, they noted the property had a large plant with a large number of employees for which they have large expenses such as health insurance. The EBITDA margins were also higher for this property. He used an 11 percent margin for the subject property.

Member Sparks asked about the relationship of expenses to income on the property. Appraiser Stafford said he was not sure why the expenses were so high. He did not think the EBITDA should have fallen off 66 percent. Member Sparks noted that the revenues dropped but the expenses did not, therefore the EBITDA went so much higher. Appraiser Stafford noted that this property did not seem to cut expenses as greatly as some of the other properties, i.e. Circus Circus, which was just discussed.

Member Schmidt asked about the property's projected performance. Appraiser Stafford noted that he felt that changes in expenses could be made to make this property perform better, but that he had taken into account the general downturn in the area market as well.

Member Sparks asked about the comparison between the Las Vegas Hilton and the Reno Hilton. Appraiser Stafford said that the sale of the Las Vegas Hilton seemed to be based on the new owner believing that the property could make money because it had previously. Member Sparks said if they take an EBITDA for a property that used to make lots of money, such as the Reno Hilton, and do the comparison of percentages, and that, if the Las Vegas Hilton is worth half of the Reno Hilton, it would be closer to the current appraised value versus decreasing it from \$92,710,406 to \$85-million. Member Schmidt said he did not think that a clear-cut comparison could be made between the Las Vegas and Reno Hiltons based on location.

Member Allison questioned where the decreases would stop. Appraiser Stafford noted that last year he had supported a \$100 million value and the State Board adjusted the value to \$90 million. This year he recognized the market is now even worse than it was last year and he believes that the figure he is suggesting, \$85 million, reflects this.

The Petitioners representatives stated that their physical plant is now 26 years old, and it is a large facility to maintain. Additionally, they do not have the walk-in traffic the downtown casinos have, and the revenues have greatly decreased over the past few years based on the events of September 11 because of the convention business they formerly did. Convention bookings were down 25-35 percent in 2002, which meant that 35 percent of their rooms were vacant. They have also been affected by Thunder Valley in their slot volumes. They did state, however, that their room occupancy rates have gone up for the last eight months, so they are cautiously optimistic.

Chairman Fox said the Board is trying to ascertain if their taxable value is correct, and the taxable value is market value or what the property would sell for. He said, since the Hilton is for sale and has received at least one offer, it would be helpful to know what that offer was. Hilton legal counselor, Mr. Barrier, said they receive offers but he cannot state what they are. They are under strict confidence.

Member Schmidt asked if they thought the cap rate was appropriate for them. Mr. Barrier said they have used the 18 percent rate and thought it was reasonable.

The Chairman closed the hearing.

Member Allison said she is in agreement because of the trend in the local market.

Based on the FINDINGS that obsolescence should be applied to the subject, and on recommendation by the Assessor, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried with Member Sparks voting "no," and Member Obester absent, it was ordered that the taxable value of the land on Assessor's Parcel No. 012-211-26 be upheld, that the taxable value of the improvements be reduced to \$56,019,354.00, and the taxable value of the personal property be upheld, for a total taxable value of \$85,000,000.00. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

12:25 p.m. The Board recessed.

1:30 p.m. The Board reconvened with Members Fox, Allison, Obester and Sparks present.

04-669E **HEARING NO. 150 - JUANITA S. LA RUE, TR., ET AL.**
PARCEL NO. 021-050-03

A petition for Review of Assessed Valuation received from Juanita S. La Rue, Tr., et al., protesting the taxable valuation on land and improvements located at Pembroke Drive, Washoe County, Nevada, was set for consideration at this time. The property is zoned A-1-GR and designated Vacant.

Ron Shane, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 8, and oriented the Board as to the location of subject property. He advised the Assessor is recommending a reduction on the subject property based on the sale of subject, and there is written confirmation that the Petitioner is in agreement with the recommendation. Appraiser Shane stated the parcel was sold in 1997, but the sale is currently on hold because Washoe County is considering the parcel for a regional flood control facility. If that sale does not go through, there is an additional offer for a subdivision on the parcel.

Chairman Fox said that, when Washoe County purchases a property, they have an appraisal done and wondered if Appraiser Shane was aware of any other appraisal done on this parcel. Appraiser Shane his appraisal is the only one he was aware of.

Member Allison disclosed that Louis Test, the property owner's representative, was her attorney previously, but stated she felt she could be objective. Chairman Fox felt it was not a problem as long as she was not involved in this sale. She stated she was not.

The Petitioner was not present, but had submitted documents, Exhibit A, which were reviewed by the Board.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does exceed full cash value, and on recommendation by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt absent, it was ordered that the taxable value of the land on Assessor's Parcel No. 021-050-03 be reduced to \$145,500.00. The Board also made the findings that with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

04-670E HEARING NO. 171 - EMPIRE ENERGY LLC
PERSONAL PROPERTY I.D. NO. 2/488-007

A petition for Review of Assessed Valuation received from Empire Energy LLC, protesting the taxable valuation on personal property located at State Route 447, Mile Marker 60, Empire, Washoe County, Nevada, was set for consideration at this time.

Bruce Gustafson, State of Nevada Department of Taxation, duly sworn, submitted the State's recommendation and supporting documents, Exhibit III. In response to Chairman Fox, Mr. Gustafson stated the subject is a centrally assessed property. Mr. Gustafson reviewed the recommended reduction and explained there had been a computer programming error, which resulted in the property not receiving the proper amount of depreciation.

1:40 p.m. Member Schmidt returned to the meeting.

The Petitioner was not present.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and on recommendation by the State Department of Taxation's representative, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the Personal Property I.D. No. 2/488-007 be reduced to \$2,658,830.00. The Board also made the findings that with this adjustment, the personal property is valued correctly.

04-671E ROLL CHANGE REQUESTS - DECREASES

Following discussion, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester abstaining, Chairman Fox ordered that Roll Change Requests Nos. 76 through 82, resulting in decreases and placed on file with the Clerk, be approved for the reasons stated thereon.

04-672E ROLL CHANGE REQUESTS – INCREASES

This was the time set for the Board to act on increases of assessed valuation, pursuant to notification being given to the affected property owners by certified mail on February 13, 2004 and providing an opportunity for anyone to appear concerning the increases.

Chairman Fox opened the hearing by calling on anyone wishing to speak concerning the increases. There was no response, and the hearing was closed.

Following discussion, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, Chairman Fox ordered that Roll Change Requests Nos. 40 through 52, resulting in increases and placed on file with the Clerk, be approved for the reasons stated thereon.

**04-673E HEARING NO. 24 - KENNETH D. AND LOUISE PESCHEL
PARCEL NO. 013-323-02**

A petition for Review of Assessed Valuation received from Kenneth D. and Louise Peschel, protesting the taxable valuation on land and improvements located at 1015 Telegraph Street, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned IC and designated General Industrial.

Stacey Ettinger, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 13, and oriented the Board as to the location of subject property. Appraiser Ettinger reviewed sales of comparable properties

substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Ettinger stated the Assessor would stand on their written presentation and Exhibit III.

Member Sparks noted there was a sale of the property and that the price was above taxable value. Member Schmidt asked if the Assessor contacted the Petitioner regarding the hearing. Appraiser Ettinger said they had. Member Schmidt also asked why the taxable value was not the sales price. He was told that is because it is assessed based on the income approach to value.

The Petitioner was not present and submitted no additional information.

The Chairman closed the hearing after noting that the only question on the appeal form noted he questioned the valuation methods and that the purchase was well above the assessed value.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 013-323-02 be upheld.

04-674E HEARING NO. 180 - RIGGS & COMPANY
PARCEL NO. 025-480-36

A petition for Review of Assessed Valuation received from Riggs & Company, protesting the taxable valuation on land and improvements located at 6450 Longley Lane, Washoe County, Nevada, was set for consideration at this time. The property is zoned IB and designated General Industrial.

Stacy Ettinger, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 17, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted documents, Exhibit A, which was reviewed by the Board.

Appraiser Ettinger stated that, based on the fair economic income expectancy by the income approach, the Assessor is recommending a recommendation on the subject property. He suggested increasing the obsolescence on the property so that it can be reviewed annually. Chairman Fox asked on what he based the request. Appraiser Ettinger said it was based on a cap rate and vacancy loss rate. He said the vacancy rate was based on several factors including a lack of good access. The buildings were also fairly new, so they did not have any depreciation to deduct.

Member Sparks asked Appraiser Ettinger where he was getting his information. Appraiser Ettinger said it was from a report of warehouse vacancy rates,

which showed a 24 percent vacancy rate for these properties in the airport area. Chairman Fox asked how long Appraiser Ettinger felt it would be before the warehouses would be full. Appraiser Ettinger said that the economy had been slow for the past few years and that several projects had been put on hold.

Member Sparks asked where Appraiser Ettinger got the basis of the land value. He said that it was based on a reappraisal from two years ago. Member Sparks asked if the Petitioner had shared their profit and loss information or leasing information. Appraiser Ettinger said they had not. Member Sparks noted that in the letter from the Petitioner the request was for a vacancy rate of 18+ percent, and the Appraiser had suggested 24 percent. Member Sparks wanted more information to grant a reduction.

Member Schmidt asked about the purchase price originally for the unimproved land. Appraiser Ettinger said it was \$3 million without water rights in 1998. Member Schmidt asked if this property is in a growing area. Appraiser Ettinger said it was.

The Chairman closed the hearing.

Chairman Fox noted that the comparable land sales are much higher than the current property and questioned the validity of the reduction. Member Schmidt also noted that the Petitioner had offered no additional information to support the vacancy rate. Member Sparks noted the Petitioner had offered that they are at over 70 percent full and they did offer their profit and loss figures.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 025-480-36 be upheld.

**04-675E HEARING NO. 179A - RIGGS BANK NATIONAL ASSOC., TR.
PARCEL NO. 025-491-13**

A petition for Review of Assessed Valuation received from Riggs Bank National Assoc., Tr., protesting the taxable valuation on land and improvements located at 7525 Colbert Drive, Washoe County, Nevada, was set for consideration at this time. The property is zoned IB and designated General Industrial.

Stacy Ettinger, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 21, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted documents, Exhibit A, which was reviewed by the Board.

Appraiser Ettinger advised the Assessor is recommending a reduction in the subject's building value by applying obsolescence; and that is based on an analysis of the fair economic income expectancy on the subject property. Member Sparks asked about the vacancy factor in this parcel. Appraiser Ettinger said the vacancy rates were 50-60 percent for these buildings. Appraiser Ettinger reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Ettinger stated the Assessor would stand on their written presentation and Exhibit III.

Member Schmidt asked about the vacancy rates and age of buildings. Appraiser Ettinger said that the new buildings were a little more easily rented, but not significantly different.

The Chairman closed the hearing.

Based on the FINDINGS that obsolescence should be applied to the subject, and on recommendation by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 025-491-13 be upheld and that the taxable value of the improvements be reduced to \$6,900,280.00 for a total taxable value of \$8,615,480.00. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-676E HEARING NO. 200 - UTAH STATE RETIRE INVESTMENT FUND
PARCEL NO. 034-133-04

A petition for Review of Assessed Valuation received from Utah State Retire Investment Fund, protesting the taxable valuation on land and improvements located at 1100 E Greg Street, Washoe County, Nevada, was set for consideration at this time. The property is zoned IC and designated General Industrial.

Stacy Ettinger, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 13, and oriented the Board as to the location of subject property.

Bill O'Quinn, CMI, Alliance Tax Advisors, was present representing Utah State Retire Investment Fund was sworn, submitted documents, Exhibit A, and testified that the subject property has been vacant for the past three years. They have several warehouses in the area, which are currently rented. However, they understand the renter in the building behind this one is going to leave when their lease expires, so the company is considering tearing down both of them to start over and build to suit new renters.

Chairman Fox asked how the Petitioner arrived at his opinion of value of \$1.6 million. Mr. O'Quinn stated it was based on the income approach minus the cost to cure the problems.

Member Allison asked if they had any offers in the past three years for someone to make improvements on the property and rent it. Mr. O'Quinn said not that he was aware of. He said the access is limited to this property.

Appraiser Ettinger said he had tried to talk to the leasing agent, but the person never returned his calls. He also said he was able to verify that the building is vacant. Member Allison asked if he was aware that the building had been vacant for three years. He said this was the first year he had worked with this property. Next, he reviewed the income approach he had used on page 2 of 13 using \$.31/sq ft. He said that he was unaware of the cost the Petitioner was using of \$.26/sq ft until today.

Member Schmidt asked about the additional office space that is available on the property and if that would be seen as a detrimental factor. Appraiser Ettinger said they would actually see that as a positive factor. Member Allison noted that some buildings that over-improve on office space in a warehouse space are sometimes hard to rent. Appraiser Ettinger agreed.

Member Schmidt asked, if the Petitioner's other properties are rented and the price per square foot is reasonable, whether that might substantiate what the Petitioner is saying about this parcel.

Mr. O'Quinn stated the company had hired Trammell Crow to assist with leasing and feels they are doing all they can to lease this building. He thanked the Board for their consideration.

Member Sparks noted that using a 26.25 percent vacancy rate versus the 30 percent the Assessor used, that the building had been vacant for three years, and using a 5 percent operating expense and a 9.5 percent cap rate would result in a value of \$1.6 million.

The Chairman closed the hearing.

Based on the FINDINGS that obsolescence should be applied to the subject, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 034-133-04 be upheld and that the taxable value of the improvements be reduced to \$1,099,323.00 for a total taxable value of \$1,600,000.00. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-677E HEARING NO. 194 - SALLY BEAUTY COMPANY, INC.
PARCEL NO. 090-030-12

A petition for Review of Assessed Valuation received from Sally Beauty Company, Inc., protesting the taxable valuation on land and improvements located at

9975 Moya Blvd., Stead, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated General Industrial.

Stacy Ettinger, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 12, and oriented the Board as to the location of subject property.

The Petitioner was not present, but had submitted documents, Exhibit A, which were reviewed by the Board.

Appraiser Ettinger reviewed his income approach to value as shown on page 2 of 12 substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Ettinger stated the Assessor would stand on their written presentation and Exhibit III.

Member Sparks asked about how the taxable amounts were arrived at. Appraiser Ettinger stated the land values for 2004/05 were adjusted based on information available before the rolls were presented in the newspaper but the improvements were not. Therefore, the improvements will be re-opened based on the new information they have now, but did not have before. Appraiser Ettinger further stated that the assessed permit value of the improved land was \$180,000.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 090-030-12 be upheld.

04-678-79E HEARING NO. 176A & B R03 ROCKY ACRES, INC.
PARCEL NO. 089-160-51

A petition for Review of Assessed Valuation received from Rocky Acres, Inc., protesting the taxable valuation on land and improvements located at 1500 Sha Neva Road, Washoe County, Nevada, was set for consideration at this time. The property is zoned GR and designated General Industrial.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 13, and oriented the Board as to the location of subject property. Appraiser Mumm advised the Assessor has a recommendation for reductions on both hearings based on the fact that most of the improvements are actually leased out and will be destroyed at the end of the lease in accordance with the lease agreement. He further said that, according to statute, those improvements need to be assessed as personal property. This will reduce the improvements to \$692,304 from \$2,765,304 on 176A and to \$665,942 on 176B.

Toni Johnson and Steve Stehaviocck, Deloitte & Touche, representing the Petitioner, were sworn, submitted documents, Exhibit A, and testified that there is an agreement to remove the leased items. Member Sparks asked if they agreed with the Assessor's recommendation. Ms. Johnson stated they did.

Appraiser Mumm said he would stand on his oral presentation because the Exhibit III had not been updated to account for the new information he presented above.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error (some improvements will be transferred to personal property) in the appraisal, and on recommendation by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 089-160-51 be upheld on and that the taxable value of the improvements be reduced to \$692,304.00 for a total taxable value of \$2,388,878.00 for Hearing 176A. It was further ordered that the taxable value of the land on Assessor's Parcel No. 089-160-51 be upheld and that the taxable value of the improvements be reduced to \$665,942.00 for a total taxable value of \$2,362,516.00 for Hearing 176B. The Board also made the findings that with these adjustments, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-680-81E HEARING NO. 130A -& 130B R03 SPARKS RENO PARTNERSHIP, LP. - PARCEL NO. 037-320-03

A petition for Review of Assessed Valuation received from Sparks Reno Partnership, LP, protesting the taxable valuation on land and improvements located at 2375 E. Prater Way, Sparks Washoe County, Nevada, was set for consideration at this time. The property is zoned PO and designated General Commercial. This parcel is the Sparks Family Hospital.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 15, and oriented the Board as to the location of subject property.

Petitioner was not present, but submitted documents, Exhibit A, which were reviewed by the Board.

Appraiser Mumm restated some of the points in the Petitioner's letter, which included 1) the cost to rebuild the hospital would be less than what the value of the current assessment is, based on a new hospital built in Las Vegas and 2) a portion of the value should be exempt because 12 percent of the expenses are a result of providing indigent care, especially since St. Mary's and Washoe Medical Center receive 100 percent exemption for indigent care.

Member Sparks asked Appraiser Mumm how he arrived at the values. He stated that in reviewing sales of comparable properties the subject was at \$126.17 per square foot, and typical costs are usually about \$140 per square foot.

Chairman Fox noted that the question of exemption is not an issue the Board can address. The Board only acts on assessed values. The Petitioner can pursue that in other areas. The Marshall & Swift basis and depreciation are the only way to address assessment, and the only way to receive a reduction is to show that taxable value exceeds full cash value. Member Sparks noted that you need to make sure that comparables are comparable. There are different classes of care facilities such as nursing care centers, but there is only one hospital classification. Appraiser Mumm then stated it becomes a matter of quality. The Appraiser assigned an average quality value to this parcel.

Member Sparks said that he wasn't sure the figures for the hospital in Las Vegas contained all the information. He stated that the building costs listed did not include all the move-in costs. It's not the "turn-key" amount.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on hearings 130A & 130B R03 for Assessor's Parcel No. 037-320-03 be upheld.

04-682E HEARING NO. 97A-E - EMILY AIROSO - PARCEL NOS. 015-193-01, 015-193-02, 015-193-15, 015-193-16, 015-193-28

A petition for Review of Assessed Valuation received from Emily Airoso, protesting the taxable valuation on land and improvements located at 880 E. Plumb Lane, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned AC and CC and designated General Commercial.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 13, and oriented the Board as to the location of subject property. They consist of Carrows and Jeremiahs restaurants.

The Petitioner was not present, but submitted documents, Exhibit A, which was reviewed by the Board.

Chairman Fox asked if Appraiser Mumm had looked at the Petitioner's documents and what he thought was true. Appraiser Mumm stated the documents seemed to show a lack of understanding of the current rental market.

Appraiser Mumm reviewed the parking lot that is in a prime location and stated he costed it at \$11 per square foot. He stated he then costed the areas that were less desirable at \$6.50 per square foot. Appraiser Mumm noted some of the comparable properties in that area were teardowns, but they substantiate that the Assessor's total taxable value does not exceed fair market value. The restaurant values are also comparable to recent sales. Appraiser Mumm stated the Assessor would stand on their oral presentation and the various Exhibit III's.

Member Schmidt asked about the portions of the parking lots under question. Member Sparks further asked which hearings applied to parking and which to the restaurants. Appraiser Mumm noted that A-D applied to the parking lots and E was the restaurant. He also noted the subject property has excess parking and excess land.

Member Schmidt asked about any "good will" on any of the comparable improved sales for the restaurants on page 1 of 13 on Exhibit III for 97E. Appraiser Mumm said he wasn't sure there was much good will to rehabilitated locations such as the old Varios.

The Chairman closed the hearing.

Member Schmidt commented that he felt the age of the improvements on these parcels might be more of a liability than an asset.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel Nos. 015-193-01, 015-193-02, 015-193-15, 015-193-16, 015-193-28 be upheld.

04-683E HEARING NO. 97F - RICHARD HAY
PARCEL NO. 034-101-56

A petition for Review of Assessed Valuation received from Richard Hay, protesting the taxable valuation on land and improvements located at 205 E Nugget Avenue, Sparks, Washoe County, Nevada, was set for consideration at this time. The property is zoned TC and designated General Commercial.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 12, and oriented the Board as to the location of subject property. It is the Denny's restaurant on McCarran and Nugget Avenue.

The Petitioner was not present, but had submitted documents, Exhibit A, which was reviewed by the Board.

Chairman Fox asked the Appraiser if he had reviewed the appeal. Appraiser Mumm noted the location sold in 1997 at a cost of \$167.34 per square foot,

and the Assessor's current value is \$147 per square foot. Appraiser Mumm reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Mumm stated the Assessor would stand on their written presentation and Exhibit III.

Member Schmidt asked about the lease on the restaurant. Member Sparks asked about the date of the comparable restaurant sales. Appraiser Mumm noted that there were very few restaurant sales in the last ten years. Member Sparks asked about the square footage and Appraiser Mumm said that may be the difference in what the Petitioner used for square footage versus what the Assessor used. Appraiser Mumm said he would be happy to verify the square footage.

The Chairman closed the hearing.

Member Schmidt said he refigured the lease amount and found that there was only 4 years left in the lease, which would make the restaurant of considerable less value. He also stated he had not had enough time to thoroughly review the information from the Assessor and the Petitioner.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 034-101-56 be upheld.

4:30 p.m. The Board recessed.

6:30 p.m. The Board reconvened with all Members present.

04-684E **HEARING NO. 70A & B - SCOTT R. DONOVAN**
PARCEL NO. 076-401-41, 076-401-42

A petition for Review of Assessed Valuation received from Scott R. Donovan, protesting the taxable valuation on land and improvements located at State Route 445, Washoe County, Nevada, was set for consideration at this time. The property is zoned GC-LC and designated vacant/undeveloped.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 10, and oriented the Board as to the location of subject property.

Scott Donovan and Richard Donovan, property owners and Cindy Lund Fogel, Johnson-Perkins representative, were sworn and submitted documents, Exhibit A. Cindy Fogel discussed the zoning of the two parcels, which is limited to stables, veterinary services and nurseries. She also noted that utilities are limited to the parcels,

water, sewer and gas is not available yet. She showed comparable sales, which were located in areas close to the subject parcels.

Chairman Fox asked Ms. Fogel about the difference between full cash value and market value. She stated they are the same.

Member Obester asked about the size of the parcels and the values. Ms. Fogel stated she had reversed the parcel sizes in the presentation.

Member Schmidt asked about the zonings and Ms. Fogel said that the zoning is very limited in the Spanish Springs area. Member Obester asked if any of the comparables she used were the same as the Appraiser's. She said a few were.

Member Schmidt asked about the zoning of the comparables. Mr. Scott Donovan stated that the allowed use was different for some of the parcels the Appraiser used, making them hard to compare. They are very limited in the zoning possibilities for these parcels.

Appraiser Mumm said on hearing 70B he is recommending a reduction based on an inability to assess market value because this parcel's zoning is so unique. The comparables don't have the same zoning. Member Sparks asked if the zoning was GC/LC versus NCI would that limit the uses on a piece of property and Appraiser Mumm agreed that it would.

Petitioner's agent, Reese Perkins was sworn and testified that, besides the zoning issues on the property, the cost of constructing the necessary infrastructure for utilities and road egress and ingress to develop the property is high as seen on the Lumos & Associates portion of Petitioner's Exhibit A.

Member Sparks asked Petitioner's agent Cindy Vogel to explain the comparables she used for her report. She went through all the comparables on page 13 of Petitioner's Johnson-Perkins report in Exhibit A.

Member Schmidt asked how the zoning had evolved. Petitioner Scott Donovan said the zoning had been limited during public hearings by an individual whose property was close to these parcels and who wanted the uses limited.

The Chairman closed the hearing.

Member Allison noted that the zoning is very limited. Member Schmidt said he believed the zoning is so limiting it could be limited to 20% of value. Member Sparks ran some comparisons for developed versus improved comparable sales and found that the Assessor's figures did not support the recommended tax value.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it

was ordered that the taxable value of land on Assessor's Parcel No. 076-401-41 be reduced to \$465,000.00 and that the taxable value of land on Assessor's Parcel No. 076-401-42 be reduced to \$285,000. The Board also made the findings that with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

04-685E HEARING NO. 71 - R.T. DONOVAN COMPANY, INC.
PARCEL NO. 076-401-46

04-686E HEARING NO. 72 - RICHARD T. AND RUTH H. DONOVAN, TR.
PARCEL NO. 076-401-47

04-686E HEARING NO. 73A & B - THOMAS J. AND LYNDA M.
DONOVAN - PARCELS NOS. 076-401-48 & -49

A petition for Review of Assessed Valuation received from Donovan Company, Inc., protesting the taxable valuation on land and improvements located at State Route 445, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated Aggregates.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 12, and oriented the Board as to the location of subject properties.

Reese Perkins, Johnson, Perkins and Associates, representing the Petitioner was previously sworn and testified that the property needs to be equalized with other aggregate properties in the area. He further stated that the income approach used by the Assessor's Office fails to take into consideration differences based on location, access, transportation costs, and types of materials extracted. He further stated that the capitalization rate fails to take into consideration the finite life of the asset and changing market conditions. He believes that the property needs to be assessed as open space.

Mr. Perkins handed out a report, Exhibit A, which compares aggregate properties in the north valley area. He noted differences in the taxable value per acre of the properties and noted that this hearing is for a reopened roll 2003/04 for the combined parcels. He also noted that the comparable aggregate properties extract different materials than what the Donovan's extract. They extract materials that can be used for construction, whereas the material extracted from the subject property is limited to sand that can be used for backfill.

Mr. Perkins noted that the State recognized in a previous roll year that the value of the pit area on the property was at a higher value than the comparables, but that the non-pit area was assessed as open land.

Cindy Fogel, Johnson, Perkins appraiser, went into more detail about the comparables from Exhibit A. She concluded that the values were \$3,000 per acre for

larger sites and \$3,500 per acre for smaller parcels. Member Sparks asked if there were any aggregate parcel sales she was aware of, but she said she was unaware of any in the neighborhood. She said that zoning and land area were the two primary focuses of her appraisal.

Appraiser Mumm said his comparables were about 40 acres in size and are all gravel removal businesses, which were valued on use, not on zoning. He said he spoke to people in gravel such as Granite construction and was told the average life of a pit is 20 years. The Assessor values on income because that is the basis of the business. Appraiser Mumm received Donovan pricing information from a Granite Construction price list, which states that they charge \$2.20 per ton. The annual amount taken out of the pit is 516,000 tons. In assessing the business based on that tonnage, the Assessor's office valued it at \$.70 per ton because the Donovan's leased out the pit to a second party. He figured the lease price based on a per ton basis explained further on page 2 of 12 of Exhibit III, where he also showed the rates of comparable gravel businesses.

Member Sparks asked how Appraiser Mumm valued LS-5 if it was a lease. Appraiser Mumm said he used leasing information from the comparable companies.

Chairman Fox asked if the entire 178 acres are leased. Appraiser Mumm said they were. Chairman Fox asked if Appraiser Mumm had made any distinction on the various parcels based on whether they were part of the pit or not. He said he did not because looking at the picture most all of the land is in the pit or is being held for pit development, except the house.

Appraiser Mumm said they had costed out the house and land in that parcel, 73B, separately. The house is currently occupied and used as a house. This property does have an LDS zoning. The Assessor's Office valued all but this parcel as a pit based on use. On the Exhibit III for 73B they had comparable sales on page 1 of 6, which were on larger parcels, but the houses were inferior in quality class and zoning.

In rebuttal, Mr. Perkins questioned the comparable sales used by the Assessor as far as transportation costs, access, location and types of materials extracted. He also questioned the capitalization rate based on the life of the property, risk of the market, transportation and demand for the material. He also noted as the Spanish Springs area grows in population, the pits will be perceived as not compatible with residences, which will cut down on the value.

Mr. Perkins questioned the Appraiser's value on parcel 73B because of the access to the house. The only access is through the gravel pit. The highest and best use of the land will eventually be as a part of the pit, not as a house. He added a letter from Lumos into the Exhibit A.

Terry Redman, Donovan's accountant, was sworn and testified that he believes the income is grossly overstated by the Assessor. Mr. Redman said he

questioned one parcel being valued at over \$5 million when he works on their books and their entire company value is about \$2 million. Chairman Fox asked if that was an audited amount, and he said he had not done an audit, but only works on their books. Member Sparks asked if he had a copy of their financial status. He gave them the one copy he had.

Mr. Redman said that their net operating income using the three-year average period equals \$141,028. Member Sparks asked about the income and was told that their net operating income includes depreciation and interest. Member Obester noted that the Assessor had asked for income information in a certified letter and had not received a response. Member Sparks asked what tonnage Mr. Redman had used. Mr. Redman said he used the same figure the Assessor had used. Mr. Redman said that the capitalization rate of 7 percent is not appropriate in this instance because the entity has a limited life of ten years. He believes the risk is not taken into account. He stated a risk-free rate would be 5 percent. Mr. Redman believes this business should have a 12-15 percent capitalization rate if that is going to be used at all. He said according to his calculations he had a \$1.8-million value for the whole company.

Mr. Donovan said they are not making \$.70/ton. He said that \$.45 is more realistic. He said that their use permit is coming up for review soon and he is concerned about having it renewed in the future. He said he thinks they will be out of business in about 8-10 years. He further noted that the certified letter that he received from the Assessor's Office had no date and was a generic request for information about owner-operator status. Mr. Donovan kept the envelope and noted it was dated Jan. 21, 2004.

Member Sparks asked Mr. Perkins about the life of this entity, noting the Assessor said it was 20 years, and Mr. Redman said it was 10 years. Member Sparks asked if they could use 15 years as a compromise. Member Sparks' figures showed using a capitalization rate of 11.67 percent, he figured the net operating income with depreciation and interest of \$302,035. Using that figure times the capitalization rate Member Sparks found a total value of a little less than \$2.5-million, which is less than the Assessor's value but more than Mr. Redman calculated. The difference is based on the value of the real property. Mr. Perkins said he believes the value of the business or "going concern" is not taxable under Nevada law.

Member Schmidt asked Mr. Perkins about the restoration obligations on the property. Mr. Donovan said there is a reclamation clause with a \$25,000 bond to have comparable land brought in and planted with native flora.

Member Obester asked Appraiser Mumm about the certified letter to the Petitioner. Appraiser Mumm said he had not sent it and that the inference that income information from the Petitioner was not received should not have been a part of the Exhibit III. Appraiser Mumm acknowledged the wrong letter was sent.

Member Schmidt also asked why a copy of the appraisal from the Petitioner had not been made available as a part of the packet. Appraiser Mumm said a mistake was made.

Mr. Perkins said he understands with the large volume how the appraisal didn't get copied and appreciated the time and ability to get their information to the Board.

Member Allison asked Mr. Perkins about 73B, which has the house, and they show a value of \$17,000 primarily because the access is through the gravel pit. Member Allison noted on the Exhibit III for 73B from the Assessor that it was built in 1994 and, with garage and basement, has almost 4,000 sq ft. He said they did not appeal the value of the house. Mr. Perkins stated they believe the whole parcel should be assessed as a gravel pit, because it will ultimately be used as a part of the gravel pit.

The Chairman closed the hearing.

Member Sparks said he had trouble with the Johnson Perkins appraisal on 71, 72 and 73A because it is not based on the property's current use. He said that based on the testimony the current use will probably be the same for the next 8-10 years. He also had a problem with their comparables for parcels 71, 72, and 73A because of their use. He thinks there is an income approach for this property. Using the figures above he arrived at a value of \$9,325 per acre for all parcels except 73B.

Member Schmidt said he thinks that the use permit being approved again for the gravel pit in two years may be optimistic. Member Obester said he felt that the permit would be approved again because of all the development in Spanish Springs.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 076-401-46 be reduced to \$461,494.00. The Board also made the findings that with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 076-401-47 be reduced to \$410,300.00. The Board also made the findings that with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 076-401-48 be reduced to \$422,796.00. The Board also made the

findings that with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

Member Allison noted that although the Petitioner believes the land in hearing 73B should be valued at \$17,000 and they are not questioning the value of the house, she does not agree. She believes that currently the land and house have more value than they may in the future, but they need to decide for this year. The Appraiser valued the land in this parcel at \$92,000, which she believes is too high.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Allison, seconded by Member Sparks, which motion duly carried with Member Obester voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 076-401-49 be reduced to \$50,000.00 and that the taxable value of the improvements be upheld for a total taxable value of \$179,085.00. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-687E HEARING NO. 198 - COSTCO WHOLESALE CORP.
PARCEL NO. 015-291-08

A petition for Review of Assessed Valuation received from CostCo Wholesale Corp., protesting the taxable valuation on land and improvements located at 2155 Harvard Way, Washoe County, Nevada, was set for consideration at this time. The property is zoned NC and designated General Commercial.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. Member Sparks asked if the Assessor's Office had received any additional information as noted on the petition. Appraiser Mumm said no they had not.

The Petitioner was not present, but had submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Mumm reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Mumm stated the Assessor would stand on their written presentation and Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 015-291-08 be upheld.

04-688E HEARING NO. 15 - ISAN THAI RESTAURANT
PERSONAL PROPERTY I.D. NO. 2/210-563

A petition for Review of Assessed Valuation received from Isan Thai Restaurant, protesting the taxable valuation on personal property located at 2855 N. McCarran Road, #108, Sparks, Washoe County, Nevada, was set for consideration at this time. The property is designated personal property.

Tom Sokol, Appraiser, duly sworn, submitted Assessor's Analysis and Recommendation, Exhibit III, pages A-1 through A-3, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Sokol noted that the assessment of personal property was based on an Assessor's estimate of value based on NRS 365 because the taxpayer failed to complete and return his Personal Property Declaration within the statutory timeframe. An additional 30-day filing extension was granted to the Petitioner for a total of 60 additional days, but the property owner still did not return the form. The Assessor estimated the personal property based on the previous completed personal property declaration on which they calculated additional depreciation.

Chairman Fox noted that the Assessor's evaluation was to be based on a "reasonable assessment". He asked Appraiser Sokol if he felt the appraisal was reasonable. Appraiser Sokol said he felt it was reasonable and that he would stand on Exhibit III.

Member Schmidt asked if Appraiser Sokol had had any personal contact with the property owner. Appraiser Sokol said he had not. Member Schmidt asked if there was any indication that the forms went to the wrong address or if there were any problems in delivery. Appraiser Sokol said the petitioner noted on his form that he was out of town.

Chairman Fox noted that the petition notes a higher value than the Assessor has on the property.

The Chairman closed the hearing.

Based on the FINDINGS that the Petitioner did not have reasonable cause for his failure to file the Personal Property Declaration in a timely manner as required by law, as evidenced by the Assessor and Petitioner, on motion by Member Obester, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the personal property on I.D. No. 2/210-563 be upheld.

04-689E HEARING NO. 19 - PAUL T. SCAFIDI
PERSONAL PROPERTY I.D. NO. 51/00-871

A petition for Review of Assessed Valuation received from Paul T. Scafidi, protesting the taxable valuation on personal property, a 1976 Beechcraft Bonanza F33A airplane, located at Reno International Airport, Washoe County, Nevada, was set for consideration at this time. The property is designated personal property.

Tom Sokol, Appraiser, duly sworn, submitted Assessor's Analysis and Recommendation, Exhibit III, pages A-1 through A-12.

Paul Scafidi, Petitioner, was sworn, submitted documents, Exhibit A, and testified that the airplane market is pretty depressed and he isn't sure if he paid too much for the plane, but he believes the assessed value is too high. He said that airplanes are valued on the number of hours on the engine and one of the Assessor's comparables has a new engine. He believes a more reasonable value should be based on the appraisal from the former owner in December 2003.

Appraiser Sokol reviewed Exhibit III comparable properties, which he said showed a wide range of values. He stated the airplane was purchased in April 2003 and that the assessment was as of July 1, 2003, only a few months later. He stated that Code and Statutes from the Department of Taxation require that they take into consideration the original cost, the replacement cost and depreciation on personal property.

Chairman Fox noted that, although purchase price is to be considered in assessment, that personal property is like real property in that the taxable value cannot exceed full cash value. Member Schmidt asked where the statute came from that states the original purchase price needed to be taken into consideration for tax assessment. Appraiser Sokol stated it was in the Administrative Code and that the information is in Exhibit III.

Mr. Scafidi said he thinks that the \$163,000 is an unreasonable value for a used aircraft. He said he just wants a fair assessment.

Member Obester asked Mr. Scafidi how much he thought he could sell the aircraft for right now. Mr. Scafidi said he thought he could sell it for \$135,000.

The Chairman closed the hearing.

Member Sparks went through the Petitioner's appraisal and noted that the market value was \$125,234. He also said the airplane's life was at about half. He also noted the Appraiser's Exhibit III listed comparable list prices. He noted that if you take off for engine time and prop time you could adjust the market value between \$15,000-\$20,000 off his purchase price. That would make the current value \$145,000.

Member Schmidt made a motion to adjust the value of the airplane to \$135,000 based on what the Petitioner says it is worth. Chairman Fox debated the logic in accepting that figure because it has no backup. Member Obester seconded the motion.

Upon call for the vote, the motion failed with Members Schmidt and Obester voting "yes" and Members Fox, Allison and Sparks voting "no."

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Sparks, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the Personal Property on I.D. No. 51/00-871 be reduced to \$145,000.00. The Board also made the findings that with this adjustment, the personal property is valued correctly and the total taxable value does not exceed full cash value.

04-690E HEARING NO. 117 – C.E.S. SCREW MACHINE PRODUCTS
PERSONAL PROPERTY I.D. NO. 2/559-002

A petition for Review of Assessed Valuation received from C.E.S. Screw Machine Products, protesting the taxable valuation on personal property located at 7755 Security Circle, Reno, Washoe County, Nevada was set for consideration at this time. The property is designated personal property.

Tom Sokol, Appraiser, duly sworn, submitted Assessor's Analysis and Recommendation, Exhibit III, pages A-1 through A-9.

Charles E. Schmidt, Petitioner, was sworn, submitted documents, Exhibit A, and testified that he submitted an Equipment Appraisal prepared by Hennig and Company for the business with a value far below the value the Assessor had found. Chairman Fox asked about the appraiser. Mr. Schmidt said the Appraiser, Brian Henning, was from the Bay Area and did appraisals for the IRS, the Treasury Dept. and banks primarily. Member Sparks noted there was an additional appraisal but that it had a different value. Mr. Schmidt said that Mr. Hennig actually came to the business and had seen the equipment, and the other appraiser had not. Member Sparks further asked about the intent of the "full cash value" in Mr. Hennig's appraisal. Mr. Schmidt said the intent of the appraisal was for a refinance on the equipment from Bank of America and that they wanted to know what the equipment was worth. Member Sparks noted that may have been the first appraisal intent, but that the wording showed it was done for the State of Nevada. Mr. Schmidt said that he sends the amount he pays for equipment into the Assessor, but the appraiser's value is what the equipment is worth now. Mr. Schmidt also said that the appraisal was done almost a year ago so it is worth even less now.

Appraiser Sokol said he looked over the Petitioner's appraisal and he had received balance sheet information from Mr. Schmidt from October 2003. Those showed a net loss in the business and there is some obsolescence that he felt they may be behind on in the assessment because he has to base his figures on statute and those tend to be behind actual values. Appraiser Sokol said the state is updating their figures and that they will be more accurate in the future. He said he feels that the current valuation may be on the high side and would agree on a reduction based on the Petitioner's appraisal by Mr. Hennig.

Petitioner Schmidt had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the Personal Property on I.D. No. 2/559-002 be reduced to \$1,510,825.00. The Board also made the findings that with this adjustment, the personal property is valued correctly and the total taxable value does not exceed full cash value.

* * * * *

PUBLIC COMMENTS

There was no response to the call for public comments.

10:00 p.m. There being no further hearings or business to come before the Board, the Board recessed until February 28, 2004, at 9:00 a.m.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy, Deputy Clerk*

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

SATURDAY

9:00 A.M.

FEBRUARY 28, 2004

PRESENT:

F. Ronald Fox, Chairman
Martha Allison, Vice Chairman
Gary Schmidt, Member
Steven Sparks, Member
Marcia McCormick, Alternate Member
Jon Obester, Member *

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
Leslie Admirand, Deputy District Attorney
Steve Churchfield, Chief Appraiser

The Board met pursuant to a recess taken on February 27, 2004 in the County Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. The meeting was called to order by Chairman Fox, the Clerk called the roll, and the Board conducted the following business:

WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda have been withdrawn by the petitioners:

Hearing No. 112, Reno Student Housing LP, Parcel No. 004-130-81
Hearing No. 195, Reno Retirement Residence LLC, Parcel No. 005-180-83
Hearing No. 58A, Daniel H. Hildebrand, et al, Parcel No. 038-054-34
Hearing No. 58B, Daniel H. Hildebrand, et al, Parcel No. 038-054-35
Hearing No. 157A, Earlene Lund, et al, Parcel No. 086-402-07
Hearing No. 157B, Earlene Lund, et al, Parcel No. 086-402-08
Hearing No. 55B, David A. and Deborah J. Corrao, Parcel No. 023-131-63

9:00 A.M. - BLOCK

DISCUSSION AND ACTION – POSSIBLE CONSOLIDATION OF HEARINGS

Member Sparks noted that, after looking through the petitions, he felt there would not be a need to consolidate the hearings on today's agenda.

On motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the hearings would be heard in order as they appear on the agenda.

04-691E ROLL CHANGE REQUESTS – DECREASES

Member Sparks described the decreases stating that they were due to factual errors or new evidence that was presented to the Assessor.

Following discussion, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, Chairman Fox ordered that Roll Change Requests Nos. 56, and 83 through 90, resulting in decreases and placed on file with the Clerk, be approved for the reasons stated thereon.

04-692E HEARING NO. 155 - JAMES J. GALLOWAY
PARCEL NO. 041-490-11

A petition for Review of Assessed Valuation received from James J. Galloway, protesting the taxable valuation of the improvements located at 4773 Caughlin Parkway, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned PUD and designated General Commercial.

Ernie McNeil, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 27, and oriented the Board as to the location of subject property.

James J. Galloway, the Petitioner, was sworn, submitted documents, Exhibit A, and testified that he believed the Marshall & Swift calculations for the replacement cost of this commercial structure were in error. He stated that when Marshall & Swift estimated the building's replacement cost, they assigned a higher replacement cost to the two-story structure than to a one-story structure with the same square footage and same quality. The Petitioner was not in agreement with this policy of Marshall & Swift. He explained the conversations he had with the Assessor's office and e-mails received from Marshall & Swift. Marshall & Swift did confirm that it was more costly to build a commercial two-story building as compared to a one-story building even when the square footage was the same, and the Petitioner did not agree with this. He noted that this building does not have an elevator, a second stairway or additional plumbing on the second floor that would generate additional costs in a typical two-story building. Petitioner Galloway said the perimeters were incorrectly entered into the program for the property, and he had confirmation from the Assessor that corrections would be made. The Petitioner acknowledged his awareness that these corrections would lead to an adjustment, as would lowering the quality class of the building, but he was seeking added reductions based on testing that was done on the Marshall & Swift program by the Assessor. He gave this information to the Board, explained the testing completed and asked to be treated equally and evenly. Mr. Galloway said this was a case the Marshall & Swift program was not tailored to because the upper story was small and did not have the amenities of a typical two-story structure.

Appraiser McNeil noted that the point of the appeal was a dispute of the Marshall & Swift costing system. He described his inspection, gave a brief history of the building, and advised the quality class was adjusted and the perimeter calculation error was corrected, which resulted in a recommendation to decrease the improvement value. Appraiser McNeil explained his interaction with Marshall & Swift regarding this case, and Marshall & Swift responded by analyzing the case and affirming their methods regarding the costing of one-story and two-story commercial structures. Appraiser McNeil acknowledged that Marshall & Swift may not always be 100 percent accurate, but in this case, the Assessor's Office does not have the data or authority to override the Marshall & Swift costs. He introduced the information from the Nevada Supreme Court case, "Imperial Palace versus The State of Nevada," and concluded that the case supported the use of Marshall & Swift. Appraiser McNeil stated the Assessor would stand on their written record of Exhibit III.

Member Sparks reviewed the information presented by the Petitioner, and said, if Marshall & Swift was properly applied, the results would be consistent and standardized. He asked about the input factors used in the test by the Assessor, and Appraiser McNeil explained those to Member Sparks.

In response to Member Schmidt, Appraiser McNeil said quality class was not averaged, and he explained different features of the building that supported the designated quality class by the Assessor.

Member Allison inquired if the Assessor believed that lowering the quality class answered the Petitioner's questions. Appraiser McNeil said that, in their inspection, they looked at the whole building and assigned the quality class, while the Petitioner and engineer believed the second floor should warrant a lower cost because of the lack of amenities. Member Allison stated that her concern was that adjusting this building would put it out of equalization with other similar buildings because the taxable value was set drastically below its true value.

In response to Chairman Fox, Appraiser McNeil recognized that they had costed the two-story building in the same manner they would cost all other two-story buildings in Washoe County. Chairman Fox asked if placing a different value on the building would put it out of equalization with all other two-story buildings in Washoe County, and Appraiser McNeil confirmed that to be true.

In rebuttal, the Petitioner stated he was asking to be treated under the same rules as every other property. He refuted that the Imperial Palace case was not valid to his circumstances. Mr. Galloway said in his case Marshall & Swift was not applied properly.

The Chairman closed the hearing.

Chairman Fox referenced the Imperial Palace case and commented that what he gained from the case was that, however taxable value was arrived at, Marshall &

Swift must be used to arrive at the taxable value of the improvements. He said the Petitioner compared a one-story building to a two-story building and that was not a proper application of Marshall & Swift.

Member McCormick stated that there was no basis for appeal in the case because the Board cannot direct the Assessor to not use, or to change, the Marshall & Swift costing.

Member Allison said that using the formula by the Assessor did not send the taxable value over market value, so there was no choice but to use the corrected figures that had been presented.

Member Schmidt commented that market value was not relevant because there were no vacant land sales or improved sales presented by the Assessor, only the sale of the subject property was offered. He said the application of the program must be applied consistently; and, if this was the manner in which it was applied to other properties, then it would have to be accepted.

Member Sparks said that, as he looked at the numbers and examined this case, he determined that Marshall & Swift was still an applicable cost guide for the Assessor to use under the State statute. He acknowledged that the building was unusual, but the Assessor has inspected the property and made their recommendations.

Member Schmidt said he would like to see further work completed by the Assessor examining the various methods of applying Marshall & Swift and a report back to the Board.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member McCormick, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 041-490-11 be upheld and that the taxable value of the improvements be reduced to \$448,039 for a total taxable value of \$635,339. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-693E HEARING NO. 211 - NANCY A. RAKE, TR., ET AL
PARCEL NO. 004-291-12

A petition for Review of Assessed Valuation received from Nancy A. Rake, Tr., et al, protesting the taxable valuation on land and improvements located at 1250 N. McCarran Blvd., Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned AC and designated General Commercial.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. He noted the business was an Olson Tire Center.

No one was present representing the Petitioner although an Authorization Form appointing an agent was submitted.

Appraiser Mumm reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Mumm stated the Assessor would stand on their written record of Exhibit III.

In response to Member Sparks, Appraiser Mumm confirmed that an income approach was used to arrive at the values presented.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 004-291-12 be upheld.

04-694E HEARING NO. 159 - AL L. DELMUE
PARCEL NO. 005-284-17

A petition for Review of Assessed Valuation received from Al L. Delmue, protesting the taxable valuation on land and improvements located at 1350 Sandyhill Lane, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned SF-4 and designated single-family residence.

Van Yates, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 12, and oriented the Board as to the location of subject property.

Al L. Delmue, the Petitioner, was sworn, submitted a letter, Exhibit A, and read it into the record. He requested a decrease in the taxable value of the land due to the location of a Granite Construction processing facility that would be operating 250 feet from his back yard six days a week from 7:00 a.m. to 7:00 p.m., as of April 1, 2004 when the plant goes fully online. Petitioner Delmue said the plant would generate noise, dust, traffic and pollution that would adversely affect his health, welfare, lifestyle and property value. He confirmed that the permit granted to Granite Construction by the City of Reno stands valid today. The Petitioner stated the production was not under full operation, and at this time the trucks were only dumping dirt. He noted the project was anticipated to last two years.

Chairman Fox explained to the Petitioner that the Board has limited jurisdiction and was only hearing the years 2004/05. He said that any decision made by the Board would be for 2004/05 only and would not extend to future years. The Petitioner corrected his request asking for relief in the 2004/05 tax years.

Member Allison asked if the Petitioner's home was for sale, and he said it was not. She asked if he was familiar with the comparable sale on Sandyhill Lane and whether that property was impacted the same as his. The Petitioner confirmed that he was familiar with the property and believed it would also be impacted. He said the owner relayed to him that had she known about the plant operation she would not have purchased the home.

Appraiser Yates reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He noted that the special use permit was granted in September of 2003. Appraiser Yates said that sales did not show there was any decline in property values in the area after the project started. He confirmed that the study completed, as seen in Exhibit III, included homes that would be impacted equally to the subject parcel. The Appraiser added there would not be increased traffic in the area of the subject parcel due to the project. Appraiser Yates stated the Assessor would stand on their written record of Exhibit III.

In rebuttal, the Petitioner stated that he wanted the Board to understand the magnitude of the impact the project would have on the subject parcel. He said the present operation was only a fraction of what it is going to be, and currently the noise from the trucks' back-up beepers exceeds OSHA (Occupational Safety and Health Administration) standards. Mr. Delmue said he was requesting a reduction based on the fact that his property would lose value during the time period the project was in operation.

In response to Member McCormick, the Petitioner clarified that the dumping referred to in the photograph that was submitted by the Assessor was actually done by Granite Construction and not by Mountain View Cemetery. He said this concerns him because there have been continual violations; and when he has filed complaints, the responses from Granite Construction were to place blame on the Mountain View Cemetery.

The Chairman closed the hearing.

Chairman Fox commented that the Petitioner has made a good argument for the impact the project would have on the subject parcel. He suggested a reduction of \$50,000 from the market value.

Member Schmidt stated that the Assessor made no reference to considering the factors addressed by the Petitioner, and he said there was no question that the property would be negatively impacted for a period of time.

Member McCormick declared that the situation would have a serious impact for the Petitioner. She said the Assessor's information was very good, but part of the problem was lack of market activity since the project's inspection, noting that the project was not yet in full operation.

Based on the FINDINGS that adverse factors (Granite Construction Processing Plant) were not considered by the Assessor, on motion by Member Schmidt, seconded by Member McCormick, which motion duly carried with Chairman Fox and Member Allison voting "no," it was ordered that the taxable value of the land on Assessor's Parcel No. 005-284-17 be reduced to \$19,520; and the taxable value of the improvements be upheld for a total taxable value of \$119,293. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-695E HEARING NO. 212 - GARY J. AND JEANNE G. LYON
PARCEL NO. 005-010-77

A petition for Review of Assessed Valuation received from Gary L. and Jeanne G. Lyon, protesting the taxable valuation on land and improvements located at 10160 N. McCarran Blvd., Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned AC and designated General Commercial.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property. He explained that the business was an Olson Tire Center.

No one was present representing the Petitioner although an Authorization Form appointing an agent was submitted.

Appraiser Mumm said that he had received no additional information from the Petitioner, and he stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 005-010-77 be upheld.

04-696E HEARING NO. 213 - THRIFTY TIRE, INC.
PARCEL NO. 012-201-20

A petition for Review of Assessed Valuation received from Thrifty Tire, Inc., protesting the taxable valuation on land and improvements located at 590 Kietzke Lane, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned AC and designated General Commercial.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

No one was present representing the Petitioner although an Authorization Form appointing an agent was submitted.

Appraiser Mumm said he had received no additional information from the Petitioner, and he stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 012-201-20 be upheld.

04-697E HEARING NO. 215 - RIDL
PARCEL NO. 044-384-08

A petition for Review of Assessed Valuation received from RIDL, protesting the taxable valuation on land and improvements located at 9705 S. Virginia Street, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned C2-GC and designated General Commercial.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

No one was present representing the Petitioner although an Authorization Form appointing an agent was submitted.

Appraiser Mumm said that he had no additional information from the Petitioner, and he stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 044-384-08 be upheld.

10:35 a.m. The Board recessed.

1:30 p.m. The Board reconvened with Members Fox, Allison, Schmidt and Sparks and Alternate Member McCormick present.

1:30 P.M. – BLOCK 2

04-698E HEARING NO. 4 - FREDERICK T. LEONARD, ET AL
PARCEL NO. 152-873-04

A petition for Review of Assessed Valuation received from Frederick T. Leonard, et al, protesting the taxable valuation on the land located at 6672 Arctic Willow Court, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDR and designated vacant.

Rigo Lopez, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 5, and oriented the Board as to the location of subject property. He stated the Assessor is recommending a reduction on the subject property for the 2003/04 roll.

Frederick T. Leonard, the Petitioner, was sworn, submitted documents, Exhibit A, and testified that he was in agreement with the recommendation of the Assessor.

Appraiser Lopez explained that during the first part of 2003, these home sites in Arrowcreek were under construction and were receiving a 40 percent development discount. He said in April of 2003, a site inspection revealed that the lots would be completed by July 1, 2003, so the under development discount was removed from the subject property increasing the land value to \$260,000. In August of 2003 the property owner contacted the Assessor's office and explained that, although the asking price on the subject property was \$265,000, the final purchase price was \$243,649, which included a special assessment fee. Appraiser Lopez further explained that in order to equalize the subject property with surrounding properties, it was recommended to adjust the taxable land value to \$230,000. He stated the Assessor would stand on their written record of Exhibit III. He noted this would be for the tax roll year 2003/04 only.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 152-873-04 be reduced to \$230,000. The Board also made the findings that with this adjustment, the land was valued correctly and the total taxable value does not exceed full cash value.

04-699E

HEARING NO. 126 - MANZANITA GATE HOLDING LLC
PARCEL NO. 204-010-48

A petition for Review of Assessed Valuation received from Manzanita Gate Holding LLC, protesting the taxable valuation on land and improvements located at 2475 Robb Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned SPD and designated ten or more.

Theresa Wilkins, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 27, and oriented the Board as to the location of subject property.

The Petitioner was not present. Appraiser Wilkins stated the Petitioner said he was in agreement with the Assessor's recommendation.

Appraiser Wilkins said the subject property was a 324-unit apartment complex and explained that, based on an interior inspection of the property on February 26, 2004, it was recommended that the quality class be reduced from a 3.5 to a 3.0. She noted the characteristics that indicated lowering the quality class included paint grade, cabinets, Formica counters, economy vinyl flooring and metal frame glass doors. Appraiser Wilkins stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land be Assessor's Parcel No. 204-010-48 be upheld and the taxable value of the improvements be reduced to \$17,500,535 for a total taxable value of \$20,416,535. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-700E

HEARING NO. 45 - HANCOCK FAMILY LIVING TRUST
PARCEL NO. 018-062-01

A petition for Review of Assessed Valuation received from Hancock Family Living Trust, protesting the taxable valuation on land located at 2130 Pine Ridge Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned SF-15 and designated single-family residence.

Patricia Regan, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

Charles Hancock, representative of Hancock Family Living Trust, the Petitioner, was sworn, submitted a letter and comparable sales, Exhibit A, and said he

would be protesting the value of the land only. He reviewed in detail each document he presented to the Board, described differences between his lot and the Assessor's comparable sales, and referenced several adverse factors affecting his property. Petitioner Hancock said the comparables used by the Assessor are superior properties when compared to his; he has no view; the traffic on Pine Ridge has increased significantly; and the slope of his property required the backyard to be done in two levels. He said the increase in the value of his land was inappropriate and excessive.

Appraiser Regan reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She said there were no vacant land sales in the immediate area because it was a built-out neighborhood. Appraiser Regan disputed the superior rating the Petitioner gave to the parcel on Oreana because it has ditch easements, roadway accesses and the driveway rests 10-15 feet from the roadway access. She said the subject parcel has a level lot, and no adjustment was made for traffic because the road was not considered a thoroughfare. She did not have information about sales 15 and 16 referred to in the Petitioner's handout. She commented on the chart the Petitioner presented and clarified how the lots compared to the subject parcel. Appraiser Regan stated the Assessor would stand on their written record of Exhibit III.

In response to Member Sparks, Appraiser Regan stated that the power lines would be typical for the area and did not warrant an adjustment.

Member Schmidt inquired how Appraiser Regan selected the land sales, and she explained that she looked at market area and acceptance, and desirability of the areas. She said the subject neighborhood was older, but it was a highly desirable area to live in and recent sale prices reflect that.

In rebuttal the Petitioner said he believed Appraiser Regan had her neighborhoods mixed up and he disputed the comparables.

The Chairman closed the hearing.

Chairman Fox said, based on the information the Petitioner provided and looking at the Assessor's information, he would support the Petitioner in the hearing.

Member Sparks said the Petitioner presented clear and substantial evidence to support an adjustment in the Assessor's taxable value of the land. He explained that this was a site-specific situation, and not a neighborhood problem.

Member Allison said that the neighborhood was a very desirable area, very stable and increasing substantially in value.

Based on the FINDINGS that adverse factors (traffic, power lines, lack of view) were not considered by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the

land on Assessor's Parcel No. 018-062-01 be reduced to \$72,500 and the taxable value of the improvements be upheld for a total taxable value of \$131,492. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-701E HEARING NO. 147 - JOHN E. AND CAROL A. RAPHEL
PARCEL NO. 018-273-19

A petition for Review of Assessed Valuation received from John E. and Carol A. Raphel, protesting the taxable valuation on the land located at 3240 Markridge Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned SF-15 and designated single-family residence.

Patricia Regan, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 12, and oriented the Board as to the location of subject property.

John E. Raphel, Petitioner, was sworn, and submitted a Land Appraisal Report prepared by himself, Exhibit A. Member Allison disclosed that she knew the Petitioner, but she said she did not feel it would influence her judgment. The Petitioner said he did not have a problem with Member Allison participating in the hearing. He testified that he was disputing the land value, stating the value was too high due to his property having a septic system. Mr. Raphel discussed the comparables given by the Assessor. He explained that major differences between his lot and the comparables were the sewer hook-ups and view factors.

In response to Member Sparks, the Petitioner confirmed that he had completed an appraisal on his land. Member Sparks pointed out that the Petitioner could do an appraisal on his own land, but cautioned him on what he needed to change in order to not be in violation with the State.

Member Schmidt inquired why the Petitioner did not include the Assessor's LS-1 (land sale) in his comparables, and Mr. Raphel said that he used more current sales from 2003 and 2004.

Appraiser Regan reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She addressed the comparables and adjustments in the subject's appraisal. She explained that, because of the limited lots available, they were not able to determine that the market was reacting to septic verse sewer. Appraiser Regan said she spoke to the City of Reno, and they indicated they had no plans to bring sewer into the subject area in the near future and hookups would not be mandatory when they do. Property owners would only be required to make the connection when the septic system fails. She further explained that she spoke to sewer and septic companies, trying to determine the cost difference between sewer hook-up and septic, and from those discussions it was concluded that they would be off-setting costs. She was not able to come up with a number to substantiate the

Petitioner's \$5,000 adjustment across the board for septic and sewers. Appraiser Regan stated the Assessor would stand on their written record of Exhibit III.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Sparks, which motion duly carried with Members Allison and Schmidt voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 018-273-19 be upheld.

04-702E HEARING NO. 129 - PAUL AND ANNE M. VOHL
PARCEL NO. 019-191-13

A petition for Review of Assessed Valuation received from Paul and Anne M. Vohl, protesting the taxable valuation on the land located at 2470 Plumas Street, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned SF-9 and designated single-family residence.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property.

Anne M. Vohl, the Petitioner, was sworn, submitted documents, Exhibit A, and acknowledged the professionalism and courtesy of the Assessor's staff. She said she was only disputing the value of the land, and specifically the percentage adjustment given for traffic impacts. The Petitioner testified that the five percent adjustment given should be closer to 30 to 50 percent. She presented traffic counts and discussed the problems of noise, trash and the speed of the vehicles on the road in front of her house. She did not believe the comparables were true comparables because they were not in the same neighborhood, but in neighborhoods that were more desirable due to the better elementary schools located there. Ms. Vohl affirmed that the elementary school in their neighborhood was the least desirable in Washoe County. She noted that the traffic impact for the comparables was not similar to the substantial duress it causes for their parcel. The Petitioner asked for a 30 percent adjustment on the land value due to the traffic impact.

Appraiser Diezel reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She commented on the traffic count and the impact on the subject parcel, as well as the comparables. She did not believe a larger adjustment for traffic was warranted for the subject parcel. Appraiser Diezel stated the Assessor would stand on their written record of Exhibit III.

In rebuttal, the Petitioner did not agree with the comments from the Assessor regarding traffic.

The Chairman closed the hearing.

Member Allison stated that the subject parcel was on a busy street, but so were the comparables, and she would support the Assessor's values.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 019-191-13 be upheld.

04-703E HEARING NO. 50A-D - DANIEL AND ELENA JOSEPH
PARCEL NOS. 019-443-14, 019-441-11, 019-441-09, 019-441-17

A petition for Review of Assessed Valuation received from Daniel and Elena Joseph, protesting the taxable valuation on land and improvements located at Beck Street, Washoe County, Nevada, was set for consideration at this time. The property is zoned MF-30 and designated condominium.

Ivy Diezel, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 6, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Diezel stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member Sparks, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcels Nos. 019-443-14, 019-441-11, 019-441-09 and 019-441-17 be upheld.

04-704E HEARING NO. 177A & B – WALTER J. & MARGARET SOLON
PARCEL NOS. 025-442-02, 025-442-07

A petition for Review of Assessed Valuation received from Walter J. and Margaret M. Solon, protesting the taxable valuation on land and improvements located at 5990 Home Garden Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned CC and designated 020/single-family residence.

Ron Shane, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 12, and oriented the Board as to the location of subject property.

Walter J. Solon, the Petitioner, was sworn, submitted a letter and photographs, Exhibit A, and testified that adverse factors were not considered on the reappraisal of these properties. He said that the Ames Trucking operation that adjoins the parcels operates from 6:00 a.m. to 10:00 p.m. daily and produces visual and noise pollution.

Appraiser Shane reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He said that the factors mentioned by the Petitioner were considered for all the parcels in the area, and the base lot value of \$80,000 was set and adjustments given primarily for size and shape. Appraiser Shane stated the Assessor would stand on their written record of Exhibit III.

In response to Member Allison, Appraiser Shane said that upon visual, interior inspection, it was determined that the parcels could be habitable with a minor investment. He stated they were on a septic system and well.

Member Schmidt inquired if the parcels had served their economic life, and Appraiser Shane said that they could be brought up to standard for rent or sale. He confirmed that they were not economically non-functional on a cost basis.

In rebuttal, the Petitioner said he desired the Board to consider all the circumstances affecting the parcels. He explained that there were costs involved with renting the parcels including a septic system that would need to be replaced, and one parcel needed a new roof and repairs to the siding.

The Chairman closed the hearing.

Member Allison noted that the area has changed to a commercial or industrial use in terms of zoning. Chairman Fox noted that when there was an improved property, the Assessor needed to place a value in use.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member McCormick, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcels Nos. 025-442-02 and 025-442-07 be upheld.

04-705E

HEARING NO. 113 - ESMAIL D. AND SALLY ZANJANI, TR.
PARCEL NO. 040-492-02

A petition for Review of Assessed Valuation received from Esmail D. and Sally Zanjani, Tr., protesting the taxable valuation on the land located at 4360 Slide Mountain Circle, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned A1-13 and designated single-family residence.

Josh Wilson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

Esmail D. Zanjani, the Petitioner, was sworn, submitted a letter, Exhibit A, and testified that the comparable sales presented by the Assessor did not apply to the subject parcel because Slide Mountain Circle was a steep cul-de-sac, and the lots used were a distance from the parcel. He discussed the comparables and the differences with his parcel. Petitioner Zanjani stated the lot right across the street from his, which is very similar and has a better view of the City, sold in 1996 for a lesser price than the original owner had paid. He believed that the Assessor's value had increased excessively.

Appraiser Wilson reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. He said he did not consider the land sale across the street from the subject parcel because it was more dated than the other sales. Appraiser Wilson stated the Assessor would stand on their written record of Exhibit III.

In rebuttal, the Petitioner said that he did not understand why the Assessor would ignore the land sale across the street as a comparable. He noted his well was showing signs of trouble, and he did not know how a well digger would be able to access the area. Mr. Zanjani said that his lot value should not be the same as a parcel that has a 180-degree view of the city. He noted he has a partial view of Peavine.

Member Allison explained to the Petitioner that the Assessor needed to look at current sales in their analysis.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Allison, seconded by Member McCormick, which motion duly carried with Member Sparks voting "no," it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 040-492-02 be upheld.

3:45 p.m. The Board recessed.

6:30 p.m. The Board reconvened with Members Fox, Allison, Obester, Schmidt and Sparks present.

6:30 P.M. – BLOCK 3

04-706E HEARING NO. 10 - MARTIN H. AND JUDY OZER
PARCEL NO. 042-050-01

A petition for Review of Assessed Valuation received from Martin H. and Judy Ozer, protesting the taxable valuation on the land located at 2815 Lakeridge Shores East, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned SF-15 and designated single-family residence.

Stacy Ettinger, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 9, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Ettinger explained that, upon interior inspection of the subject property, it was found that the view has been completely obstructed. He gave details regarding the recommendation, and confirmed that the Petitioner was in agreement with the recommendation. Appraiser Ettinger stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 042-050-01 be reduced to \$105,000 and the taxable value of the improvements be upheld for a total taxable value of \$569,223. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-707E HEARING NO. 125 - JOSEPH H. AND MARGIT E. DEUERLING,
TR. - PARCEL NO. 042-080-01

A petition for Review of Assessed Valuation received from Joseph H. and Margit E. Deuerling, Tr., protesting the taxable valuation on land and improvements located at 2602 West Lakeridge Shores, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned SF-15 and designated single-family residence.

Stacy Ettinger, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Ettinger stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 042-080-01 be upheld.

04-708E HEARING NO. 156 - WILLIAM G. AND JUDITH C. PETTERSON, TR. - PARCEL NO. 046-141-03

A petition for Review of Assessed Valuation received from William G. and Judith C. Petterson, Tr., protesting the taxable valuation of the improvements located at 157 Antigua Court, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated single-family residence.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 11, and oriented the Board as to the location of subject property.

Member Allison disclosed that she knew the Petitioner and recused herself from the hearing.

William G. Petterson, the Petitioner, was sworn, submitted a document, Exhibit A, and said that he bought the property in 1997 for \$160,000. He testified his taxable value should be reduced based on a comparison of the home at 955 Douglas Fir Drive, which was similar in size, construction and location. The Petitioner reviewed the document he had presented to the Board.

Chairman Fox pointed out that some of the differences mentioned by the Petitioner were actual cost and the cost the Assessor used, and the costing of the two properties.

Appraiser Vice reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She said the difference in costing on the two properties was due to the quality class difference of the homes. Appraiser Vice stated the Assessor would stand on their written record of Exhibit III.

Member Sparks noted the differences of the two homes presented by the Petitioner, and said that the homes may be similar, but they were not identical.

In rebuttal, the Petitioner did not agree with the costing of the two properties.

Chairman Fox explained to the Petitioner that the price per square foot varies with the size of the building

The Chairman closed the hearing.

Member Schmidt said he would be prepared to lower the quality class on the subject property based on the testimonies of the Petitioner and the Assessor's office.

Members Fox, Schmidt and Sparks requested that the Assessor contact the Petitioner to verify the quality class.

Member Obester said he was not convinced that the homes were similar, and upon inspection it might be found that the quality class of the Douglas Fir parcel was set too low. He was not in agreement with Member Schmidt. He stated that the cost approach could be as controversial as view classifications.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Schmidt, which motion duly carried with Member Schmidt voting "no" and Member Allison abstaining, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 046-141-03 be upheld.

04-709E HEARING NO. 133 – RICHARD L. & PATRICIA M. HICKSTED,
TR. – PARCEL NO. 046-141-06

A petition for Review of Assessed Valuation received from Richard L. and Patricia M. Hicksted, Tr., protesting the taxable valuation on land and improvements located at 158 Antigua Court, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated single-family residence.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 13, and oriented the Board as to the location of subject property.

Richard Hicksted, the Petitioner, was present but did not desire to testify.

Appraiser Vice advised that, based on an interior inspection of the subject property, it was found the quality class should be lowered from 9.0 to 8.0. She explained the recommendation and confirmed that the Petitioner was in agreement with the

Assessor's recommendation. Appraiser Vice stated the Assessor would stand on their written record of Exhibit III.

The Petitioner had no rebuttal.

The Chairman closed the hearing.

Based on the FINDINGS that there was an error in the appraisal, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 046-141-06 be upheld and that the taxable value of the improvements be reduced to \$977,636 for a total taxable value of \$1,186,636. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-710E HEARING NO. 131 - ARTHUR BEACH
PARCEL NO. 079-150-02

A petition for Review of Assessed Valuation received from Arthur Beach, protesting the taxable valuation on land located on Pyramid Highway, Washoe County, Nevada, was set for consideration at this time. The property is zoned A-7-GR and designated vacant land.

Ron Shane, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser Shane reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. Appraiser Shane stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 079-150-02 be upheld.

04-711E HEARING NO. 29 - LARRY A. NEWMAN
PARCEL NO. 089-110-25

A petition for Review of Assessed Valuation received from Larry A. Newman, protesting the taxable valuation on land located on Lemmon Drive, Washoe

County, Nevada, was set for consideration at this time. The property is zoned A-4-GR and designated vacant land.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 3, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Mumm recommended a reduction in the subject's land value based on a current sales listing of the subject parcel. He said the Petitioner was in agreement with the recommendation. He stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does exceed full cash value as evidenced by a current sales listing of the subject, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 089-110-25 be reduced to \$20,000.

04-712E HEARING NO. 22 - KATHLEEN J. GRANT
PARCEL NO. 148-082-14

A petition for Review of Assessed Valuation received from Kathleen J. Grant, protesting the taxable valuation on the land located at 6025 Lake Geneva Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated 12/vacant.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 8, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Chairman Fox asked about the Petitioner's efforts to sell the subject property. Appraiser Vice reviewed the listings stating the last listing expired in November 2003, and the asking price was \$425,000.

Appraiser Vice reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed fair market value. She said that she has not seen a drop off in the market in the area in the past few years. Appraiser Vice stated the Assessor would stand on their written record of Exhibit III.

The Board Members discussed the land sales presented by Appraiser Vice and concluded those sales indicated that the subject's value should be less.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does exceed full cash value based on the evidence presented by the Assessor, on motion by Member Schmidt, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 148-082-14 be reduced to \$320,000. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-713E HEARING NO. 141A&B - EDUARDO VENEGAS, ET AL
PARCEL NOS. 148-180-06, 148-180-07

A petition for Review of Assessed Valuation received from Eduardo Venegas, et al, protesting the taxable valuation on the land located at 6639 and 6653 Gebster Court, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned LDS and designated vacant.

Gail Vice, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 10, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Vice explained that the lots were appreciating in the area of the subject parcels. She stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Member Sparks commented that a single sale does not set the market.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Obester, seconded by Member Allison, which motion duly carried with Member Schmidt voting "no," it was ordered that the taxable value of the land on Assessor's Parcels Nos. 148-180-06 and 148-180-07 be upheld.

04-714E HEARING NO. 116 - STANHARRAH
PARCEL NO. 164-342-13

A petition for Review of Assessed Valuation received from Stanharrah, protesting the taxable valuation on the land located at Longley Lane and Double R

Boulevard, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned AC and designated vacant, industrial.

Chris Mumm, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 7, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted documents, Exhibit A, which were reviewed by the Board.

Appraiser Mumm noted the subject sold in October 2003 for \$6,285,708 and advised the Assessor is recommending the value be reduced to the sales price. He further said the Petitioner was in agreement with the recommendation. He said he had appraised it prior to the sale. Appraiser Mumm stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does exceed full cash value based on the sale of the subject property, and on recommendation by the Assessor, on motion by Member Allison, seconded by Member Schmidt, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 164-342-13 be reduced to \$6,285,708. The Board also made the findings that with this adjustment, the land is valued correctly and the total taxable value does not exceed full cash value.

04-715E HEARING NO. 55A - DAVID A. AND DEBORAH J. CORRAO
PARCEL NOS. 023-131-62

A petition for Review of Assessed Valuation received from David A. and Deborah J. Corrao, protesting the taxable valuation on land and improvements located at 3890 Clover Way, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned SF-15 and designated single-family resident.

Pat O'Hair, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 10, and oriented the Board as to the location of subject property.

The Petitioner was not present, but submitted a letter, Exhibit A, which was reviewed by the Board.

Appraiser O'Hair explained that two items came to the Assessor's attention recently regarding the subject parcel. A fire easement is located on the subject parcel, and there was a factual error in regard to the year the residence was built. He said these two factors resulted in a recommendation for adjustments, and the Petitioner was in

support of the recommendation. Appraiser O'Hair stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that adverse factors were not considered by the Assessor, and as recommended by the Assessor, on motion by Member Sparks, seconded by Member Obester, which motion duly carried, it was ordered that the taxable value of the land on Assessor's Parcel No. 023-131-62 be reduced to \$132,000; and the taxable value of the improvements be reduced to \$303,873 for a total taxable value of \$435,873. The Board also made the findings that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

04-716E HEARING NO. 56 - ROBERT AND NANCY J. SAGAN
PARCEL NO. 023-371-03

A petition for Review of Assessed Valuation received from Robert and Nancy J. Sagan, protesting the taxable valuation on land and improvements located at 2696 Chaparral Drive, Reno, Washoe County, Nevada, was set for consideration at this time. The property is zoned SF-9 and designated single-family residence.

Pat O'Hair, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 15, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser O'Hair stated the Assessor would stand on their written record of Exhibit III.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 023-371-03 be upheld.

04-717E HEARING NO. LT-63 - WOUTERINA M. SWETS, TR.
PARCEL NO. 122-194-06

A petition for Review of Assessed Valuation received from Wouterina M. Swets, Tr., protesting the taxable valuation on land and improvements located at 719 James Lane, Incline Village, Washoe County, Nevada, was set for consideration at this time. The property is zoned 037-MDS and designated single-family residence.

Joe Johnson, Appraiser, duly sworn, submitted Assessor's Fact Sheet(s) and Maps, Exhibit III, pages 1 through 4, and oriented the Board as to the location of subject property.

The Petitioner was not present.

Appraiser Johnson stated the Assessor would stand on their written record and Exhibits I, II, III and XVII.

Chairman Fox commented that the petition did not offer information on the owner's opinion of land or building value. He said the reason stated for the owner's opinion that the subject property was improperly valued was the valuation methods were not supported by statute or regulation, and he noted they did not specify a particular statute or regulation.

The Chairman closed the hearing.

Based on the FINDINGS that the taxable value does not exceed full cash value as evidenced by the Assessor's Exhibits, on motion by Member Sparks, seconded by Member Allison, which motion duly carried, it was ordered that the taxable value of the land and improvements on Assessor's Parcel No. 122-194-06 be upheld.

APPROVAL OF MINUTES

On motion by Member Obester, seconded by Member Sparks, it was ordered that the Clerk would provide the minutes of each day's proceeding to the Board Members as they are completed, the Board would review the minutes and respond to the Clerk within 10 days if corrections were needed; and if no objections were noted, the minutes would be forwarded to the Chairman for signature.

BOARD MEMBER COMMENTS

Member Allison stated that she had enjoyed working with everyone even though it had been a difficult year. She said there seemed to be a misunderstanding as to what the duties of the Board consisted of, and she clarified that the Members were employed and asked to serve on the Board by the County Commissioners. Member Allison explained that the Board did not work for the Assessor or the public, but the Board was there to serve as an intermediary to examine information from both parties and make judgments regarding the correctness of the information. She acknowledged the hard work of the Board members, and thanked them for the opportunity to serve together.

Member Sparks said that the Board members could not have completed their jobs without the support of staff. He acknowledged the brilliant work of the Clerk's staff, and he commended the Appraisers who appeared before the Board and said they were a professional and talented group. Member Sparks also commended the District Attorney's office and acknowledged the quality of their legal representation.

Member Obester requested that an item be placed on a future agenda to discuss whether or not to accept incomplete petitions. He said the Board was flooded with petitions this year that were downloaded from a website and were not complete. Member Obester stated the Board should consider not accepting incomplete petitions. He declared that the process had cost the County thousands of dollars and many of the petitioners did not show up for their hearings.

Member Schmidt stated he would like to discuss how a future workshop would be scheduled. He thanked the Board members for being professional and proficient at all times.

Chairman Fox stated his appreciation for the Board members, the Clerk and Assessor's staff, and the District Attorney. He acknowledged it had been a tough year and he was very pleased with the way everyone responded to the task and he was proud to be a part of it.

* * * * *

7:45 p.m. There being no further hearings or business to come before the Board, the meeting adjourned *sine die*.

Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Sharon Gotchy and Lori Rowe
Deputy Clerks*