

VILLAGE OF FONTANA ON GENEVA LAKE  
WALWORTH COUNTY, WISCONSIN  
(Official Minutes)

2010 BOARD OF REVIEW  
Monday, August 16, 2010

Board of Review Chairman Steve Beers called the 2010 Board of Review to order at 2:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Board of Review members present:** Roll call: Chairman Beers, Tom Whowell, Rick Pappas

**Board of Review member late:** Patrick Kenny (arrived at 3:37 pm)

**Board of Review member absent:** President Arvid Petersen

**Also present:** Assessor James Danielson, Valerie Lyon, Village Clerk Dennis Martin, Village Attorney Elizabeth Olson

**General Business**

**Discuss Procedures**

The Board of Review decided to hold the hearings for the scheduled objections and to deliberate on the objections at the end of the day.

**Receive Assessment Roll and Assessor's Affidavit**

The Assessment Roll and the Affidavit were signed and put into the record by Martin and Danielson.

**Conduct Hearings**

**Kenneth Harkness, 443 North Lakeshore Drive, SS&G 00002**

Martin had Assessor James Danielson and Kenneth Harkness raise their right hands and swear that the testimony that they were to present for the hearing would be "the truth, the whole truth and nothing but the truth, so help you God." Danielson stated for the record that the oath he took was with regard to all the hearings that were to be conducted before the Board of Review that day. Harkness presented a list of sales from 2009 and 2010 that took place in Williams Bay and Linn Township. Harkness stated that the average of the six sales he cited in his report is \$2,479,167. On the Objection Form filed by Harkness, he states that fair market value of the property as of January 1, 2010 is \$2,500,000. The land is currently assessed at \$2,535,000, the Improvement value is \$249,100, and the total assessment is \$2,784,100. Danielson presented a comparable sales analysis he prepared for the subject property which lists the subject property and two comparable sales. Danielson stated that taking into account the difference in square footage of the parcels cited in the sales analysis and the subject parcel, the current assessment is in line. Danielson stated that the comparables he cited in his report are both sales that took place in the Village of Fontana and the sales cited by the petitioner are from the Geneva Lake area, but not from the Village. Harkness stated that the land sale cited by Danielson of the former William Turner lot on North Lakeshore Drive is an anomaly and Turner was able to secure a good price because of unique circumstances and the buyer's ability to choose which of the three lots he ended up purchasing.

**Susan L. and Kenneth Rodeck, 676 South Lakeshore Drive, STFV 00107A**

Martin had Susan L. and Kenneth Rodeck raise their right hands and swear that the testimony that they were to present at the hearing would be "the truth, the whole truth and nothing but the truth, so help you God." The Objection Form filed with the Board of Review states that the petitioner's opinion of the fair market value of the subject property as of January 1, 2010 is \$3.5 million. The Objection Form states that the land was purchased for \$770,000 and the house was constructed for \$969,482 between 2000 and 2002. The property is currently assessed at a total of \$3,775,900, with the land assessed at \$2,596,100 and the improvements assessed at \$1,179,800. Ken Rodeck presented a Uniform Residential Appraisal Report dated December 28, 2009 which stated the fair market value of the subject property is \$3.5 million. Ken Rodeck stated that the comparable sales cited in the appraisal report demonstrate that the property is assessed at a higher rate than the current fair market value dictates. Danielson presented a comparable sales analysis he prepared for the subject property

which lists the subject property and two comparable sales. Danielson stated that the appraisal presented by the petitioners was reviewed by Accurate Appraisal Project Manager Rick Vanden Boogart; however, a previous adjustment on the subject property brought the assessment down to within 7.8 percent of the appraisal value. Danielson stated that taking into account the difference in square footage of the two parcels cited in the sales analysis and the subject parcel, the current assessment is in line. In response to a question from Whowell, Danielson stated that no change was made to the current assessment following this year's open book period. Ken Rodeck stated that the previous adjustment mentioned by Danielson was for a square footage error the assessors made on the parcel. In response to a question from Pappas regarding deed restrictions, Rodeck stated that he had to set the house back at least 115 feet from the lake, and there are also restrictions on what type of vegetation he can plant. In response to a question from Beers, Danielson stated that no adjustment has been made to provide credit for the deed restrictions that reduce the building envelope on the lot.

**David B. Collins, 820 St. Moritz Court, A1, SCDA 00001**

Martin had David Collins raise his right hand and swear that the testimony that he was to present at the hearing would be "the truth, the whole truth and nothing but the truth, so help you God." The Objection Form filed with the Board of Review states that the petitioner's opinion of the fair market value of the subject property as of January 1, 2010 is \$150,000. The Objection Form also states that the property was purchased in January 2010 for \$150,000. The property currently is assessed at \$283,000, with the land assessed at \$84,000 and the improvements assessed at \$199,000. Collins presented a list of five comparable sales that took place in Fontana that demonstrate the square footage of his unit is being assessed at a higher rate than fair market value. Danielson stated that that purchase of the subject parcel was a foreclosure sale and the state ruled it was not an "arm's length sale." Danielson presented a comparable sales analysis he prepared for the subject property which lists the sale of the subject property and two other comparable sales. Danielson stated that the current assessment is based on sales that occurred in May 2006 and April 2008 because the sale of the subject parcel was the only sale of a similar unit since the last market revaluation project in 2008. Whowell asked why a purchase of a foreclosure property that was on the market for about one year doesn't count as an indicator of fair market value. Danielson stated that the Wisconsin DOR classifies sales of foreclosure properties as sales made under duress.

**Keith Rademacher, 749 Aweogon Drive, SIHB 00013**

Martin had Keith Rademacher raise his right hand and swear that the testimony that he was to present at the hearing would be "the truth, the whole truth and nothing but the truth, so help you God." The current assessment of the property totals \$267,900, with the land assessed at \$103,900 and the improvements assessed at \$164,000. The petitioner states on the Objection Form the property owner's opinion of the fair market value of the property as of January 1, 2010 is \$240,000. The Objection Form states that the home was constructed in October 1994 for \$130,000. Rademacher presented a Uniform Residential Appraisal Report that states that the fair market value of the subject property is \$240,000 as of December 31, 2009. Danielson stated that appraisal was reviewed by Vanden Boogart and the current assessment on the subject property was reduced by \$20,000 at open book. Danielson stated that the appraisal prepared by Jack Lidbetter for Keith Rademacher used a very low square footage rate of \$30 per square foot for the improvement value, which is a little low. Danielson stated that by using the comparable sales cited in the appraisal prepared by Lidbetter, and adjusting them for square footage of the subject parcel, the current assessment is in line at \$267,900. Danielson also presented a comparable sales analysis he prepared for the subject property which lists the sale of the subject property and three other comparable sales. Rademacher stated that a portion of his lot is also used by pedestrians for ingress and egress from a common area.

**Late Notice of Intent Form**

Martin stated that Joseph C. Haughey, the property owner of Tax Parcel No. SBV 00046, 315 Spring Street, filed an Objection Form under the Section A "Show Good Cause" waiver portion of the Notice of Intent to File Objection Form. Haughey stated on the form that a temporary relocation to Washington, DC prevented him from meeting the 48-hour filing deadline. Pappas/Whowell 2<sup>nd</sup> made a MOTION to approve the late Notice of Intent to File Objection form

filed by Joseph C. Haughey and to hold the hearing as soon as Assessor Danielson was prepared. The MOTION carried without negative vote. President Petersen was absent and Patrick Kenny had not yet arrived at the hearings.

### **Conduct Hearings**

#### **Joseph C. Haughey, 315 Spring Street, SBV 00046**

Martin had Joseph C. and Judith Haughey raise their right hands and swear that the testimony that they were to present at the hearing would be “the truth, the whole truth and nothing but the truth, so help you God.” The current assessment of the property totals \$671,000, with the land assessed at \$255,000 and the improvements assessed \$416,000. The Objection Form states the property owner’s opinion of the fair market value of the property as of January 1, 2010 is \$571,000. The Objection Form states that the property was constructed in October 1981 for \$43,000; the home was rebuilt in 1994 for \$167,580, and the partially finished basement was constructed in 1999 for \$21,351. Joseph Haughey stated that he does not understand how the assessed value of the improvements for the subject property has been increased over the years to \$416,000 when the reconstruction cost was only \$167,580 and the cost to partially finish the basement was \$21,351. Danielson presented a comparable sales analysis he prepared for the subject property which lists the sale of the subject property and three other comparable sales that are located in the Buena Vista Association. Danielson stated the subject parcel has its total improvement value based on \$107 per square foot, and looking at the comparable sales the current assessment is in line.

#### **David E. and Linda A. Wood, 405C Deerpath West, SCDB 700405C**

Martin had Linda Wood raise her right hand and swear that the testimony that she was to present at the hearing would be “the truth, the whole truth and nothing but the truth, so help you God.” The current assessment of the property totals \$317,500, with the land assessed at \$83,900 and the improvements assessed at \$233,600. The petitioner states on the Objection Form the property owner’s opinion of the fair market value of the property as of January 1, 2010 is \$285,000. The Objection Form states that the home was purchased in October 1989 for \$125,000. Wood presented a list of 19 comparable sales that occurred in 2007 through May 27, 2010. Wood stated that three sales that occurred in 2009 are for similar units and they demonstrate the assessment on the subject parcel is at a higher rate per square foot. Wood stated that the value of the subject unit actually should be lower because all the original appliances and fixtures are still in the unit and the comparable units have been improved. Danielson stated that the initial assessment was reduced to \$317,500 based on the fact that the unit does not have a loft and the general condition of the appliances and fixtures. Danielson stated that since the overall value of the Village is currently at 104 percent according to the state’s equalization formula, the subject parcel’s assessment was reduced to \$317,500, which is equitable and in the proper range based on the comparable sales figures.

Pat Kenny arrived at the hearings at 3:37 pm.

#### **David C. Jensen, 738 Adahi Way, SIH 00072**

Martin had David C. Jensen raise his right hand and swear that the testimony that he was to present at the hearing would be “the truth, the whole truth and nothing but the truth, so help you God.” The current assessment of the property totals \$398,700, with the land assessed at \$221,300 and the improvements assessed at \$177,400. The petitioner states on the Objection Form the property owner’s opinion of the fair market value of the property as of January 1, 2010 is \$313,500. The Objection Form states that the home was purchased in June 1978 for \$57,800. Jensen distributed comparable sales figures, a map of the association and assessment information for other properties. Jensen stated that although the initial assessment was reduced by \$15,000 following open book, the land value for his parcel is still too high based on the comparable sales figures of similar properties. Danielson presented a comparable sales analysis he prepared for the subject property which lists the sale of the subject property and three other comparable sales. Jensen stated that he is satisfied that the improvements value on his parcel is correct, but the land value at \$221,300 would be more equitable at \$136,100, which is the assessment on the land value of a comparable lot that has the exact same square footage of land as the subject parcel. Danielson stated that his firm was given the information a few years ago that the lots located further from the lake did not have the same lake rights as Jensen’s. Jensen stated that the lots in the Indian Hills Subdivision that have the Tax Key

numbers beginning with SIH and SIHB both have the same lake rights. Danielson stated that in next year's market revaluation, the assessors will have to look at the land value formulas of the Indian Hills subdivisions. Danielson stated that the way he was made to understand the subdivisions, the lake rights were not equal.

#### **Late Notice of Intent Form**

Martin stated that Shari Rauland Mohr, the agent for property owners Anthony T. Klok and Allison Murray, Tax Parcel No. SCTK 00013, 104 Montaque Drive, filed an Objection Form under the Section A "Show Good Cause" waiver portion of the Notice of Intent to File Objection Form. Mohr stated on the form that the owners have been "out country/out of state and missed mailing with instructions and it prevented them from meeting the 48-hour filing deadline.

Pappas/Whowell 2<sup>nd</sup> made a MOTION to approve the late Notice of Intent to File Objection form filed by Shari Rauland Mohr for property owners Anthony T. Klok and Allison Murray and to hold the hearing as soon as Assessor Danielson was prepared. The MOTION carried without negative vote. President Petersen was absent.

#### **Conduct Hearings**

##### **Anthony T. Klok and Allison S. Murray, 104 Montaque Drive, SCTK 00013**

Martin had Shari Rauland Mohr raise her right hand and swear that the testimony that she was to present at the hearing would be "the truth, the whole truth and nothing but the truth, so help you God." The current assessment of the property totals \$615,800, with the land assessed at \$115,700 and the improvements assessed at \$500,100. The petitioner states on the Objection Form the property owner's opinion of the fair market value of the property as of January 1, 2010 is \$450,000. The Objection Form states that the home was purchased on May 8, 2006 for \$615,000, and that the home was listed in July 2010 for an asking price of \$499,000. Mohr presented comparable sales figures and marketing information. Danielson presented a comparable sales analysis he prepared for the subject property which lists the sale of the subject property and two other comparable sales. Danielson stated that the current assessment is taking into account that one of the sales cited in Mohr's report may have been under duress and the listing of the subject property may be under duress. Mohr stated that neither the sale nor the listing of the subject property were made under duress. Mohr stated that the comparables she presented are better than the comps presented by Danielson. Danielson stated that based on the two comparable sales figures he presented, the current assessment seems equitable.

##### **Mesa Property, LLC, Lot 1 Certified Survey No. 4263, SA426300001**

##### **Mesa Property, LLC, Lot 2 Certified Survey No. 4263, SA426300002**

Martin had Attorney David C. Williams and David Audino raise their right hands and swear that the testimony that they were to present as the agents of the property owners at the hearing would be "the truth, the whole truth and nothing but the truth, so help you God." The current assessment of the SA426300001 property totals \$429,700, all for the land value; there is no improvement value on the vacant but buildable lot. The current assessment of the SA426300002 property totals \$421,500, all for the land value; there is no improvement value on the vacant but buildable lot. The petitioner states on the Objection Forms the property owner's opinion of the fair market value of the two properties as of January 1, 2010 is \$10,000 each. The Objection Forms do not state when the parcels were purchased or for what amount; the forms state "purchased as part of a larger parcel." The Objection Form for SA426300001 states the lot is currently listed for sale for \$725,000. Williams presented certified survey maps of the lots, an image of the Village of Fontana Duck Pond Master Plan, and documents regarding a temporary construction easement and a permanent maintenance easement. In response to questions from Attorney Williams, Audino stated that there is only an access road and a driveway leading onto lot 1, and lot 2 does not have an access road; that there is no public water or sewer service currently connected to the lots; that there is no gas or electric service currently connected to the two lots; and that the site disturbance area and easements will put restrictions on the lots if building proposals are pursued. Audino stated that the lots also are affected by a Primary Environmental Corridor and it will cost between \$260,000 and \$270,000 to install utility lines on lot 1. Audino stated it will cost an additional \$80,000 to install utility lines to lot 2 because a new driveway will be required. Danielson stated that both lots are assessed as buildable lots and Lot 1 is currently listed by the owners for \$725,000. Danielson stated that before the two lots were split

this past year, the total assessment for the 10 acres of land was \$555,000 when the land was deeded, and most recently the two combined lots were assessed at \$629,400. Danielson stated that the current land values are based on the sale of Tax Parcels SBTR 00002 and SBTR 00003, which are each 3.5 acre lots. Danielson stated that based on the square footage of those lots, the value per acre on the subject parcels is fair. Williams stated that when the trees grow on the adjacent lots, the lake views from the subject parcels will be compromised. Pappas asked Audino that following the presentation of the comparable land sales by Danielson, if he still thinks that the lots are only worth \$10,000 each as stated on the Objection Forms. Audino stated that considering that the road and utility work, as well as lot clearing will need to be completed before the lots can be developed, that \$10,000 is the proper assessment for the two parcels.

**Steven and Larissa Lyon, 913 Tarrant Drive, SCTJ 00005**

Martin had Steven Lyon raise his right hand and swear that the testimony that he was to present at the hearing would be “the truth, the whole truth and nothing but the truth, so help you God.” The current assessment of the property totals \$397,400, with the land assessed at \$108,400 and the improvements assessed at \$289,000. The petitioner states on the Objection Form the property owner’s opinion of the fair market value of the property as of January 1, 2010 is \$265,000. The Objection Form states that the home was purchased in October 2009 for \$255,000, and painting, refinishing and installing kitchen cabinets in 2010 cost a total of \$10,000. Lyon presented a Residential Appraisal Report dated October 6, 2009 for the subject property that states the fair market value of the property is \$275,000. Lyon stated that the current assessment is in excess of the independently prepared appraisal and of a comparable sale figure he presented. Danielson presented a comparable sales analysis he prepared for the subject property which lists the sale of the subject property and three other comparable sales. Danielson stated that the purchase of the subject property was a foreclosure sale, so the state ruled it is not an Arm’s Length Sale. Lyon stated that he reviewed the recent sales in the Country Club Estates subdivision and properties are selling for 25 percent less than the assessed values.

**Withdrawn Notices**

Martin stated for the record that Notices of Intent to File Objection forms were filed but withdrawn for Margaret Labus and Eric Nyman, Tax Parcel No. SPHR 00026; Daniel E. Davies, Tax Parcel No. SUP 00001K; and Homa Keivan, Tax Parcel No. SCDB 1002045E.

Beers called for a five-minute recess at 5:24 pm.

**Deliberation on Hearings**

**Kenneth Harkness, 443 North Lakeshore Drive, SS&G 00002**

Pappas stated that the Village has used the land ratio calculation for determining land value based on linear feet of lake frontage and it is hard to break from that method without supporting sales evidence. Pappas stated that the petitioner presented sales comparisons, but the properties all were located in Williams Bay or Linn Township. Whowell asked the village attorney if the Board was allowed to consider comparables sales figures for properties not located in the Village. Elizabeth Olson stated that the assessor only looked at Village sales information and was not able to look at the information on the properties located in other municipalities to provide an opinion. Pappas stated that he is not sure the comparable sales evidence of the Williams Bay and Linn Township properties provided by Harkness demonstrated that the assessment should be lowered. Pappas stated that the current assessment is in line with the Porter parcel. Beers stated that the market for the lake properties in the Village has created fair assessments and the comparables presented by Danielson are valid.

Pappas/Whowell 2<sup>nd</sup> made a MOTION to maintain the assessment for the Kenneth Harkness property at 443 North Lakeshore Drive, Tax Key No. SS&G 00002, at \$2,535,000 for the Land, and \$249,100 for the Improvements, based on all the evidence presented at the hearing, and to record the fact finding standards that support the assessor’s initial valuation, and the Roll Call Vote followed:

Pappas – Aye

Beers – Aye

Whowell – Aye

The MOTION carried on a 3-0 vote. Kenny abstained because he was not present for the hearing.

**Susan L. and Kenneth Rodeck, 676 South Lakeshore Drive, STFV 00107A**

Beers stated that the subject parcel was assessed at \$3,775,900 and the petitioner presented a Uniform Residential Appraisal Report dated December 28, 2009 which states the fair market value of the subject property is \$3.5 million. Whowell stated that there also are deed restrictions on the lot that Danielson indicated have not been taken into account. Beers stated that the deed restrictions are reason enough for an adjustment. Pappas stated that he would support a motion to reduce the assessment on the value of the land by \$275,900 to bring the total assessment down to \$3.5 million. Pappas/Whowell 2<sup>nd</sup> made a MOTION to set the assessment for the Susan L. and Kenneth Rodeck property at 676 South Lakeshore Drive, Tax Key No. STFV 00107A, at \$2,320,200 for the Land, and \$1,179,800 for the Improvements, based on all the evidence presented at the hearing, and to record the fact finding standards that support the adjusted valuation, and the Roll Call Vote followed:

Beers – Aye

Whowell – Aye

Pappas – Aye

The MOTION carried on a 3-0 vote. Kenny abstained because he was not present for the hearing.

**David B. Collins, 820 St. Moritz Court, A1, SCDA 00001**

Pappas stated that the petitioner presented stronger evidence of comparable sales than Danielson. Pappas stated that the land values are all based on a set ratio in the subdivision, so he would support a motion to reduce the assessed value of the improvements by \$95,000 to bring the total assessment down to \$188,000.

Pappas/Whowell 2<sup>nd</sup> made a MOTION to set the assessment for the David B. Collins property at 820 St. Moritz Court, Unit A1, Tax Key No. SCDA 00001, at \$84,000 for the Land, and \$104,000 for the Improvements, based on all the evidence presented at the hearing, and to record the fact finding standards that support the adjusted valuation, and the Roll Call Vote followed:

Whowell – Aye

Pappas – Aye

Beers – Aye

The MOTION carried on a 3-0 vote. Kenny abstained because he was not present for the hearing.

**Keith Rademacher, 749 Aweogon Drive, SIHB 00013**

Pappas stated that the petitioner did not present any sales evidence to justify a reduction. Beers stated that the comparable sales presented by Danielson showed that the current assessment is in line.

Whowell/Beers 2<sup>nd</sup> made a MOTION to maintain the assessment for the Keith Rademacher property at 749 Aweogon Drive, Tax Key No. SIHB 00013, at \$103,900 for the Land, and \$164,000 for the Improvements, based on all the evidence presented at the hearing, and to record the fact finding standards that support the assessor's initial valuation, and the Roll Call Vote followed:

Pappas – Aye

Beers – Aye

Whowell – Aye

The MOTION carried on a 3-0 vote. Kenny abstained because he was not present for the hearing.

**Joseph C. Haughey, 315 Spring Street, SBV 00046**

Beers stated that the petitioners did not present any comparable sales evidence or an independently prepared appraisal. Pappas stated that the current assessment is reasonable based on the comparables presented by Danielson.

Pappas/Beers 2<sup>nd</sup> made a MOTION to maintain the assessment for the Joseph C. Haughey property at 315 Spring Street, Tax Key No. SBV 00046, at \$255,000 for the Land, and \$416,000 for the Improvements, based on all the evidence presented at the hearing, and to record the fact finding standards that support the assessor's initial valuation, and the Roll Call Vote followed:

Beers – Aye

Whowell – Aye

Pappas – Aye

The MOTION carried on a 3-0 vote. Kenny abstained because he was not present for the hearing.

**David E. and Linda A. Wood, 405C Deerpath West, SCDB 700405C**

Pappas stated that the comparable sales evidence presented by Linda Wood demonstrated no difference in value for half bathrooms in the units, but the lack of a loft should be taken into account. Beers stated that having no loft in the subject unit does affect its fair market value and he would support a motion to reduce the assessment on the improvements value by \$17,500 to bring the total assessment down to \$300,000.

Beers/Pappas 2<sup>nd</sup> made a MOTION to set the assessment for the David E. and Linda A. Wood property at 405C Deerpath West, Tax Key No. SCDB 700405C, at \$83,900 for the Land, and \$216,100 for the Improvements, based on all the evidence presented at the hearing, and to record the fact finding standards that support the adjusted valuation, and the Roll Call Vote followed:

Whowell – Aye

Pappas – Aye

Beers – Aye

The MOTION carried on a 3-0 vote. Kenny abstained because he was not present for the hearing.

**David C. Jensen, 738 Adahi Way, SIH 00072**

Pappas stated that he agrees with the comparable sales evidence presented by the petitioner and his comparables made more sense than those presented by Danielson. Kenny stated that he would support a motion to reduce the assessed value of the land by \$85,200 to bring the total assessment on the subject property down to \$313,500.

Pappas/Kenny 2<sup>nd</sup> made a MOTION to set the assessment for the David C. Jensen property at 738 Adahi Way, Tax Key No. SIH 00072, at \$136,100 for the Land, and \$177,400 for the Improvements, based on all the evidence presented at the hearing, and to record the fact finding standards that support the adjusted valuation, and the Roll Call Vote followed:

Kenny – Aye

Whowell – Aye

Pappas – Aye

Beers – Aye

The MOTION carried on a 4-0 vote.

**Anthony T. Klok and Allison S. Murray, 104 Montaque Drive, SCTK 00013**

Whowell stated that he thought that the comparable sales evidence presented by Shari Rauland Mohr was better than the evidence presented by Danielson. Beers stated that Danielson did not have enough time to prepare for the hearing as well as he did for the hearings that were filed for prior to the 48-hour deadline; however, his comparable sales evidence was not as good. Pappas stated that the petitioners paid \$130 per square foot for the property when it was purchased, but due to wear and tear and recent sales, he would support a reduction to \$100 a square foot. Following discussion, the members reached a consensus that a reduction of \$88,600 to the assessed value of the improvements is justified by the comparable sales evidence presented by Mohr.

Kenny/Pappas 2<sup>nd</sup> made a MOTION to set the assessment for the Anthony T. Klok and Allison S. Murray property at 104 Montaque Drive, Tax Key No. SCTK 00013, at \$115,700 for the Land, and \$411,500 for the Improvements, based on all the evidence presented at the hearing, and to record the fact finding standards that support the adjusted valuation, and the Roll Call Vote followed:

Whowell – Aye

Pappas – Aye

Beers – Aye

Kenny – Aye

The MOTION carried on a 4-0 vote.

**Mesa Property, LLC, Lot 1 Certified Survey No. 4263, SA426300001**

**Mesa Property, LLC, Lot 2 Certified Survey No. 4263, SA426300002**

Pappas stated that the petitioner states on the Objection Forms that the fair market value of the vacant parcels is \$10,000 each; however, evidence presented at the hearing would justify an assessment of \$500,000 each.

Whowell/Pappas 2<sup>nd</sup> made a MOTION to maintain the assessments on the two parcels owned by Mesa Property, LLC, which are legally described as Lot 1 Certified Survey No. 4263, Tax Parcel No. SA426300001 and as Lot 2 Certified Survey No. 4263, Tax Parcel No. SA426300002, at \$429,700 for the Land value of Tax Parcel No. SA426300001, and at \$421,500 for the Land value of Tax Parcel

No. SA426300002, based on all the evidence presented at the hearing, and to record the fact finding standards that support the assessor's initial valuation, and the Roll Call Vote followed:

Pappas – Aye

Beers – Aye

Kenny – Aye

Whowell – Aye

The MOTION carried on a 4-0 vote.

**Steven and Larissa Lyon, 913 Tarrant Drive, SCTJ 00005**

Whowell stated that the subject parcel was purchased in October 2009 for \$255,000 and it was on the market for six months. Pappas stated that the petitioner presented an independently prepared appraisal that stated the fair market value of the property is \$275,000 and he would support a motion to reduce the assessed value of the improvements by \$122,400 to bring the total assessment of the property down to \$275,000.

Whowell/Kenny 2<sup>nd</sup> made a MOTION to set the assessment for the Steven and Larissa Lyon property at 913 Tarrant Drive, Tax Key No. SCTJ 00005, at \$108,400 for the Land, and \$166,600 for the Improvements, based on all the evidence presented at the hearing, and to record the fact finding standards that support the adjusted valuation, and the Roll Call Vote followed:

Beers – Aye

Kenny – Aye

Whowell – Aye

Pappas – Aye

The MOTION carried on a 4-0 vote.

**Verify Delivery of Determination Notices**

Martin stated that he prepared Notices of Board of Review Determination for the petitioners and he will mail them via certified delivery on August 17, 2010.

Whowell/Kenny 2<sup>nd</sup> made a MOTION to verify that the Notice of Board of Review Determinations have been prepared and will be mailed out August 17, 2010, and the MOTION carried without negative vote.

**Adjourn Sine Die**

Beers/Whowell 2<sup>nd</sup> made a MOTION to adjourn the 2010 Board of Review Sine Die at 6:17 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin

Note: These minutes are subject to further editing. Once approved by the Board of Review, the official minutes will be on file at the Village Hall.

APPROVED: \_\_\_\_\_