

MINUTES
Board of Equalization and Review
July 9, 2009

Board Members Present: Jane Sparks, Chair
Tim Kepley
Paul Snow

Staff Members Present: John Smith, Assessor
Judy Ryan, Deputy Assessor
Roger Gunn, Staff Appraiser
Pam Bryant, Recording Secretary

Ms. Sparks called the meeting to order at 2:12 p.m. on Thursday, July 9, 2009.

Nina Wallace 706444

Ms. Nina Wallace, along with the tenant who occupies her property, Michael Hinderliter, appeared before the Board to appeal the valuation of her property at 145 E. Franklin St., Chapel Hill, NC. The current tax value assigned to the property by Orange County is \$551,354. The appellant is aware that the valuation was adjusted downward from \$575,360 to \$551,354 during the informal appeals process, but wishes to pursue further reduction in the valuation. Documentation included an appraisal completed June 2009 with an estimated market value of \$300,000. Per the owner and tenant, because the building is only 12 feet wide, there is very limited use due to size. There is a discrepancy between the square footage used in the appraisal and that in county records. The appraisal records the rentable square footage as 1306 while the county records indicated 1500 square feet.

During deliberations the Board considered all information presented by the appellant. Paul Snow recused himself from voting due to the fact he submitted the appraisal for Mrs. Wallace. Tim Kepley made a motion to direct a staff appraiser to re-measure the building and apply \$230 per square foot value to the correct square footage. Jane Sparks seconded the motion and the motion carried.

Ayes: 2
Noes: 0

Foxcroft Assoc. 710227

Mr. Charles Douthit and Mr. Jeff Massengill, managing members for Foxcroft Apartments appeared before the Board to appeal the 2009 valuation. Foxcroft Apartments is a 29.17 acre tract improved with a 248 unit complex located at 545 Ashley Ct., Chapel Hill, NC. The current tax value assigned to the property by Orange County is

\$13,614,641. The appellant's are aware that the valuation of this unit was adjusted downward from \$14,415,502 to \$13,614,641 during the informal appeals process, but wish to pursue further reduction in the valuation. Documentation included an appraisal completed January 2009 with an estimated market value of \$12,000,000. The appellant's consider the 2009 valuation to be excessive and feel the appraised value best represents the actual market value.

During deliberations the Board considered all information presented by the appellant. Tim Kopley made a motion directing staff to make appropriate changes to adjust the valuation to \$12,600,000±. Paul Snow seconded the motion and the motion carried.

Ayes: 3

Noes: 0

Gateway Oxford Assoc. 439422

Ms. Suzanne Lichtefeld of Thomson Reuters appeared before the Board representing the owners, to appeal the valuation of Gateway Village, Lakeside Dr., Hillsborough, NC. The current tax value assigned to the property by Orange County is \$2,372,670. The property is 9± acre tract improved with a 64 unit Section 8 Housing apartment complex. Ms. Lichtefeld reports a 35% vacancy rate and feels the income does not support the current 2009 Orange County valuation. Documentation presented included income and expense information.

During deliberations the Board considered all information presented by the appellant. Paul Snow made a motion that no change be made to the value due to the fact that there was not enough information presented to make an informed decision. Tim Kopley seconded the motion and the motion carried.

Ayes: 3

Noes: 0

Madison University Mall LLC 704757

Ms. Suzanne Lichtefeld of Thomson Reuters appeared before the Board representing the owners, to appeal the valuation of Madison University Mall LLC, S. Estes Dr., Chapel Hill, NC. The current tax value assigned to the property by Orange County is \$39,045,515. The owners purchased the property in 2007 for \$40,000,000. The property is 39.5 acre tract improved with an enclosed mall. Ms. Lichtefeld reported that as of January 1, 2009, the mall was 90% occupied, but due to economic conditions, tenants are requesting rent reductions and withholding rents. There is substantial deferred maintenance plus need of a new roof and new HVAC system. Per Ms. Lichtefeld, maintenance and replacement items would cost approximately 3.5 million.

During deliberations the Board considered all information presented by the appellant. Tim Kepley made a motion to direct staff to make adjustments to change the value to \$34,000,000±. Paul Snow seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Madison Rams Plaza LLC 743863 & 707219

Ms. Suzanne Lichtefeld of Thomson Reuters appeared before the Board representing the owners, to appeal the valuation of Madison Rams Plaza, Fordham Blvd., Chapel Hill, NC. The current tax value assigned to the property by Orange County is \$11,576,441 for Tract 743863 and \$1,019,139 for Tract 707219. The owners purchased the property in 2007 for \$13,100,000. The property is 13.42 acre tract improved with a strip mall. Ms. Lichtefeld reported that the majority of the tenants are on month-to-month leases. The appellant's do not feel that the income supports the county valuation.

During deliberations the Board considered all information presented by the appellant. Paul Snow abstained from voting. Tim Kepley made a motion to direct staff to make adjustments to change the value to \$12,000,000± for both parcels combined. Jane Sparks seconded the motion and the motion carried.

Ayes: 2
Noes: 0

HPT PSC Properties Trust 362518

Ms. Suzanne Lichtefeld of Thomson Reuters appeared before the Board representing the owners, to appeal the valuation of Petro Travel Centers, 500 Buckhorn Rd., Mebane, NC. The current tax value assigned to the property by Orange County is \$6,364,225. The property is a 31.209 acre tract improved with five commercial buildings with a paved parking lot. Documentation included a summary of the owner's calculation of value.

During deliberations the Board considered all information presented by the appellant. Tim Kepley made a motion that no change be made to the value due to the fact that there was not enough information presented to make an informed decision. Paul Snow seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Qian Li 762179

Mr. Qian Li appeared before the Board to appeal the valuation of his property at 304 Palafox Dr., Chapel Hill, NC. The current tax value assigned to the property by Orange County is \$460,701. Mr. Li purchased the property in 2001 for \$305,500. The appellant stated that the actual square footage of the home is 2970, while county records indicate 3092. He believes the valuation to be \$20,000-\$50,000 high.

During deliberations the Board considered all information presented by the appellant. Sales of comparable properties were considered. Jane Sparks made a motion to reduce the square footage of the area over the garage from 300 to 200 to correct the square footage. No further change will be made to the valuation. Tim Kopley seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Oscar & GERALYNE Compton 269861

Mr. and Mrs. Compton appeared before the Board to appeal the valuation of their property located at 811 Hurdle Mill Rd., Cedar Grove, NC. The current tax value assigned to the property by Orange County is \$260,942. The property is a 36.84 acre tract of land utilized for forestry purposes. It is improved with a 1590 square foot home built in 1916 and several outbuildings. Mr. and Mrs. Compton were concerned that the valuation of the outbuildings might be too high and submitted photographs showing the condition of several of the outbuildings.

During deliberations the Board considered all information presented by the appellant. Tim Kopley made a motion to reduce the value of the garage from \$2,000 to \$300. Jane Sparks seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Oscar & GERALYNE Compton 247148

Mr. and Mrs. Compton appeared before the Board to appeal the valuation of their property located at 1200 Hurdle Mills Rd., Cedar Grove, NC. The current tax value assigned to the property by Orange County is \$220,388. The property is a 15.69 acre tract of land utilized for forestry purposes. It is improved with a 1980 square foot home. Mr. and Mrs. Compton feel that the proximity of this property to chicken houses located across the road has a negative impact on their property value due to the odor and flies.

During deliberations the Board considered all information presented by the appellant. Jane Sparks made a motion that no change be made to the valuation. Tim Kopley seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Oscar & GERALYNE COMPTON 264601

Mr. and Mrs. Compton appeared before the Board to appeal the valuation of their property located at 1104 Hurdle Mills Rd., Cedar Grove, NC. The current tax value assigned to the property by Orange County is \$117,033. The property is an unimproved 17.53 acre tract of land utilized for forestry purposes. Mr. and Mrs. Compton feel that the proximity of this property to chicken houses located across the road has a negative impact on their property value due to the odor and flies.

During deliberations the Board considered all information presented by the appellant. Jane Sparks made a motion that no change be made to the valuation. Tim Kopley seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Donald Bagwell 148945

Mr. Donald Bagwell appeared before the Board to appeal the valuation of his property located at 4131 Woodland Park Dr., Hillsborough, NC. The current tax value assigned to the property by Orange County is \$315,976. The property is a 10.01 acre tract improved with a 2178 square foot home built in 1994. Mr. Bagwell purchased the property in 2000 for \$239,500. Documentation included an appraisal completed June 2009 with an estimated market value of \$265,000. Mr. Bagwell listed several items of deferred maintenance. Mr. Bagwell mentioned a neighboring home for sale at 4236 Woodland Park Dr., which is listed for sale on the open market for \$279,900 and has a contingent sale pending.

During deliberations the Board considered all information presented by the appellant. Tim Kopley made a motion to direct staff to change the 13% physical depreciation to an appropriate percentage to arrive at a valuation of \$300,000. Jane Sparks seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Charles Henley 774298, 774296
Robert Page 703262
**Clifton Woodman 758375, 472879, 473451, 473542, 472878, 472882,
472883, 473543**

The appellants listed above failed to appear before the Board. Since the appellants presented no evidence, Jane Sparks made a motion that no change be made to the value at this time. Should the appellants' request to reschedule prior to Board adjournment, their case can be reconsidered at that time. Paul Snow seconded the motion and the motion carried

Ayes: 3

Noes: 0

Having heard all the appeals scheduled on this date, Jane Sparks made a motion to adjourn this meeting. Paul Snow seconded the motion and the meeting was adjourned at 4:55 pm.


Jane Sparks, Chair


Pamela Bryant, Recording Secretary