

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Meeting

December 15, 1970  
9:00 A.M.

COUNCIL CHAMBER, CITY HALL

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue

Absent: None

Mayor LaRue announced that this was a Special Meeting called for the purpose of hearing and considering Tax Appeals.

APPEALS WITHDRAWN

Mr. Jack Klitgaard, Tax Assessor-Collector, announced that the following Appeals had been withdrawn:

- MAURICE ANGLY, JR.
- ROBERT V. MORGAN, By Maurice Angly, Jr.
- WILLIAM M. DAY, By Richard Baker
- LOUIE GAGE, By Richard Baker
- RICHARD D. HARDIN, By Richard Baker
- GEORGE S. HAWN, By Richard Baker
- VIOLETTA V. WEBER & ROBERTA V. BROWN, By Richard Baker
- MARVIN A. BERGSTROM
- JOEL T. CARLSON

APPEALS HEARD

At 9:00 A.M. the Council heard the following Tax Appeals:

CITY OF AUSTIN, TEXAS

	Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
ELDRIDGE ARMISTEAD, JR.					
7011 Creighton Lane	LAND \$ 2,864	\$ 3,437	\$ 2,580	Not Signed	\$ 2,580
Lot 35, University Hills West	IMPS <u>21,509</u>	<u>24,109</u>	<u>18,080</u>		<u>18,080</u>
Parcel #2-2623-0214	TOTAL \$24,373	\$27,546	\$20,660		\$20,660

Mr. Eldridge Armistead, Jr. stated that he did not believe the appraisal made had accounted sufficiently for depreciation of his property. He also believed that his taxes should be increased by the same amount as all other residents in the City. Mr. Klitgaard stated that this property was appraised on the same basis as all comparable property in the City. He also noted that on the improvements, increased construction costs had more than offset the 7% depreciation allowed in determining the present market value of the house. A discount of 10% had been allowed for the influence of the creek on the lot. He cited prices of sales in the area.

Councilman Janes moved the Council sustain the assessed value set by the Board of Equalization as follows:

ELDRIDGE ARMISTEAD, JR.		Assessed Value Fixed by Board	Council Action
7011 Creighton Lane	LAND		
Lot 35, University Hills West	LAND	\$ 2,580	\$ 2,580
Parcel #2-2623-0214	IMPROVEMENTS	<u>18,080</u>	<u>18,080</u>
	TOTAL	\$20,660	\$20,660

The motion, seconded by Councilman Johnson, carried by the following vote:

- Ayes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue
- Noes: Councilmen Gage, Price
- Abstain: Councilman Atkison

MILDRED AUSTIN By: V. Leon Austin	Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
1523 Koenig Lane					
Lot 2	LAND \$ 1,845	\$ 4,613	\$ 3,460	Not Signed	\$ 3,390
less North 20 ft.	IMPS <u>8,734</u>	<u>10,307</u>	<u>7,730</u>		<u>7,730</u>
Breezy Hollow No. 5 Section 1	TOTAL \$10,579	\$14,920	\$11,190		\$11,120
Parcel #2-3005-0902					

CITY OF AUSTIN, TEXAS

<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
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BROOKS HILL  
By: V. Leon Austin

7401 N. Lamar				
4.289	LAND	\$29,484	\$86,047	\$64,540 Not Signed \$64,540
Acres	IMPS	<u>2,595</u>	<u>2,595</u>	<u>1,950</u>
James P.	TOTAL	\$32,079	\$88,642	\$66,490
Wallace Survey				
Parcel #2-3310-0553				

Mr. V. Leon Austin appealed the value placed on only the land in Parcel No. 2-3005-0902. He noted that the Board of Equalization had made a concession of \$70 for 750 square feet donated to the City, which averaged 9 1/3¢ per square foot. He believed this same value, then, should be applied to the rest of the lot, which would yield an assessment of \$996. Mr. Klitgaard stated that this property was appraised on the same basis as all other residential property on the street. He also explained the \$70 allowance in that the land donated to the City had reduced the lot depth from 162' to 142', and the influence of depth on residential lots was very minor. Reducing the depth 20' reduced the value of the lot very little. Mr. Austin objected in that the land taken was from the valuable front portion of the lot rather than from the back portion.

Regarding Parcel No. 2-3310-0553, Mr. Austin stated that this property had been purchased in 1968 for \$56,036.08. The purchase contract had provided the option for 1/2 of the property to be re-sold to the original owner at the original purchase price, and Mr. Austin was confident that this would soon take place. He consequently believed that the assessed value should be reduced 25%, based upon this selling price. Mr. Klitgaard stated that this appraisal, based on sales in the area, was made on the same basis as other property in the area. He noted that the asking price for the property was in excess of the appraised value and he stated that market value was defined in terms of what property would sell for, not what it did sell for. There was discussion among the Council as to how fair market value should be determined.

Councilman Janes moved the Council sustain the assessed value set by the Board of Equalization as follows:

MILDRED AUSTIN, By V. Leon Austin	<u>Assessed Value Fixed by Board</u>	<u>Council Action</u>
1523 Koenig Lane	LAND \$ 3,390	\$ 3,390
Lot 2 less North	IMPROVEMENTS <u>7,730</u>	<u>7,730</u>
20 ft. Breezy Hollow No. 5		
Section 1	TOTAL \$11,120	\$11,120
Parcel #2-3005-0902		

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Out of Room at Roll Call: Councilman Atkison

Councilman Janes moved the Council sustain the assessed value set by the Board of Equalization as follows:

BROOKS HILL, By V. Leon Austin		Assessed Value Fixed by Board	Council Action
7401 N. Lamar	LAND	\$64,540	\$64,540
4.289 Acres	IMPROVEMENTS	<u>0</u>	<u>0</u>
James P. Wallace Survey			
Parcel #2-3310-0553	TOTAL	\$64,540	\$64,540

Councilman Gage offered a substitute motion that the full value on property in Parcel No. 2-3310-0553 be set at \$60,000. The motion, seconded by Councilman Price, failed to carry by the following vote:

Ayes: Councilmen Gage, Price  
 Noes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue  
 Out of Room at Roll Call: Councilman Atkison

The original motion to sustain the assessed value set by the Board on Parcel No. 2-3310-0553, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue  
 Noes: Councilmen Gage, Price  
 Out of Room at Roll Call: Councilman Atkison

JAMES F. BABB		Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
6408 Shoal Creek						
Boulevard	LAND	\$ 3,441	\$ 5,735	\$ 4,300	\$ 2,580	\$ 4,300
Lot 85,	IMPS	<u>17,981</u>	<u>19,516</u>	<u>14,640</u>	<u>13,490</u>	<u>14,640</u>
Treadwell						
Addition	TOTAL	\$21,422	\$25,251	\$18,940	\$16,070	\$18,940
Section 2						
Parcel #2-3301-1118						

Mr. James F. Babb stated that as a result of developments in Northwest Hills and Westover Hills, the run-off into Shoal Creek had been significantly increased, resulting in the Creek flooding his property. Flooding had occurred twice recently with the water almost rising to the top of his retaining wall. To his knowledge there was nothing being done to solve this problem. Consequently, he believed his property value had fallen rather than increased. He presented photographs of his back yard before and after a recent rain. Mayor LaRue stated that some corrective measures were being taken to control Shoal Creek.

Mr. Klitgaard cited sales on Shoal Creek Boulevard which were in excess of the value appraised by the Tax Department. In response to Councilman Janes' question, he stated that the most recent sales were 1968. In response to Mayor LaRue's question, he stated that no discount had been allowed for the influence of the Creek. Mr. Babb responded that the situation with the Creek had really only become serious within the last 18 months.

Councilman Gage moved the full value of this property be adjusted to the 1969 level. The motion, seconded by Councilman Price, failed to carry by the following vote:

- Ayes: Councilmen Atkison\*, Gage, Price
- Noes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue

Councilman Johnson moved that the full value on the land be adjusted to the 1969 level and the Council sustain the assessed value on the improvements set by the Board of Equalization as follows:

JAMES F. BABB		Assessed Value Fixed by Board	Council Action
6408 Shoal Creek	LAND	\$ 4,300	\$ 2,550
Boulevard	IMPROVEMENTS	<u>14,640</u>	<u>14,640</u>
Lot 85, Treadwell Addition Section 2 Parcel #2-3301-1118	TOTAL	\$18,940	\$17,190

The motion, seconded by Councilman Janes, carried by the following vote:

- Ayes: Councilmen Atkison\*, Janes, Johnson, MacCorkle, Price, Mayor LaRue
- Noes: Councilman Gage

Councilman Price stated that while he was voting "Aye," he believed the value on the improvements should be adjusted to the 1969 level too.

\*Councilman Atkison's vote was not counted in accord with the ruling of the City Attorney.

	Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
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## GAGE INVESTMENT CORP.

By Richard Baker

5324 Cameron Rd.

3.4 Acres	LAND	\$118,901	\$222,156	\$166,620	\$ 89,180	\$157,640
Lot 54	IMPS	296,887	324,053	243,040	222,670	243,040
Duval Hgts.	TOTAL	\$415,788	\$546,209	\$409,660	\$311,850	\$400,680

Parcel #2-2313-0206

Mr. Richard Baker believed that the value of this shopping center had decreased, rather than increased, because of increased traffic flow on IH-35, frontage road and on Cameron Road making access to the center more difficult. He stated that the highest economic value of a shopping center came about 10 years after construction, unless improvements had been made and he noted that this center was 12-15 years old with no major improvements having been made in it. He presented a letter from the prime tenant in the center, the grocery store, which stated that the deteriorating location of the store had resulted in it operating at a level far below a profitable level. He noted a letter concerning another store also citing the problem of customers gaining access to the store. He noted the closing of another store in the center.

Mr. Baker noted that the Board of Equalization had adjusted the full value of the land to \$1.43 per square foot. He compared this to the full value set for other shopping centers which he believed were in superior locations: Reagan Square at 85¢ per square foot, Windsor Village Center at 85¢ per square foot, Casis Center at 50¢ per square foot, Highland Park West Center at 50¢ per square foot. He believed that economic return should be the prime factor in appraising the value of a shopping center. He stated that the return on this center in 1969 was 7.13% while the return on most centers was in the neighborhood of 13%. For the assessed value set by the Tax Department in 1970, the return would be only 5.6%. He stated that Mr. Gage estimated the value of the center at \$450,000, at which value the economic return on it would be 8 1/2%. Mr. Baker believed \$450,000 was the highest possible full value for this center.

In response to Councilman MacCorkle's question, Mr. Baker stated that there had been no re-modeling of this center.

Mr. Klitgaard stated that this property had been appraised on the same basis as all other property in the area. He did not believe this shopping center could be compared to other shopping centers in areas where land values were lower. He stated that the value set reflected the potential income based on the amount of leasable space. He noted that appraisals were made on the basis of highest and best use of the land. He stated that Capital Plaza Shopping Center was appraised at \$1.25 per square foot, which was less than the unit value on the property in question, because of the greater size of Capital Plaza. In response to Councilman Janes' question, Mr. Klitgaard guessed that access to Capital Plaza was easier than to the center in question. Councilman Price did not believe it was fair to value the smaller tract of land with more difficult access at a higher rate than the larger tract of land with easier access. In response to Councilman Price's question, Mr. Klitgaard cited amounts of recent sales in the area.

CITY OF AUSTIN, TEXAS

Councilman Janes suggested that Mr. Klitgaard examine the figures presented by Mr. Baker concerning the economic returns produced by other shopping centers and make a recommendation taking them into account. Mr. Klitgaard stated that he would do this. Mr. Baker elaborated upon the factors which he felt should be considered in appraising properties. Councilman Johnson discussed with Mr. Baker whether the rate of return should take into account the appreciated value of the land. Mr. Baker did not think the value of the land had appreciated. Mr. Baker believed the market value should be based on how the land was presently used rather than upon its potential highest and best use.

Mayor LaRue requested that Mr. Klitgaard bring this case back to the Council after examining the additional information provided by Mr. Baker.

JESSE J. BARTLETT		Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
1410 East 51st St.						
Southeast 52.5	LAND	\$1,239	\$3,441	\$2,580	\$ 930	\$2,580
x 203 ft.	IMPS	<u>4,723</u>	<u>4,962</u>	<u>3,720</u>	<u>3,540</u>	<u>3,720</u>
av. of South 1/2 of West 1/2 of Lot 11,						
Ridgetop Gardens	TOTAL	\$5,962	\$8,403	\$6,300	\$4,470	\$6,300
Parcel #2-2014-0204						
VACANT						
North 202.94	LAND	\$717	\$4,780	\$3,590	\$540	\$3,230
ft. av.	IMPS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
of West	TOTAL	\$717	\$4,780	\$3,590	\$540	\$3,230
102.5 ft. Lot 11 Ridgetop Gardens Parcel #2-2014-0205						
1102 West 34th	LAND	\$7,176	\$24,380	\$18,290	\$5,380	\$18,290
Lots 6,	IMPS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
7 and 8, Block 3	TOTAL	\$7,176	\$24,380	\$18,290	\$5,380	\$18,290
Glen Ridge Parcel #2-1901-1006						
1104 West 34th	LAND	\$ 4,430	\$14,767	\$11,080	\$ 3,320	\$11,080
Lots 9	IMPS	<u>23,777</u>	<u>25,557</u>	<u>19,170</u>	<u>17,830</u>	<u>19,170</u>
and 10, Block 3,	TOTAL	\$28,207	\$40,324	\$30,250	\$21,150	\$30,250
Glen Ridge Parcel #2-1901-1007						

Regarding Parcels No. 2-1901-1006 and 2-1901-1007, Mr. Jesse J. Bartlett appealed the valuation on the land only. He stated that he had purchased the property in Parcel No. 2-1901-1006 for \$7,500 in 1964. He stated that when Medical Park Tower Corporation had bought up land in the area, they were not interested in purchasing this property because there was the possibility that this land would be taken by the City for right-of-way for a 35th Street bridge. He believed that the value should be kept at the 1969 level. He stated that the same situation was true for the other parcel.

Regarding Parcel No. 2-2014-0205, Mr. Bartlett stated that this property was to the rear of his property on 51st Street, and it had no street access other than through the 51st Street property to the front. He stated that he had purchased it for \$1,000 in 1964, and he felt that \$2,000 would now be a fair valuation for it. He also stated that he would withdraw his appeal on Parcel No. 2-2014-0204.

Regarding Parcel No. 2-2014-0205, Mr. Klitgaard stated that this property was valued by the Board of Equalization on the basis of slightly less than 25¢ per square foot, slightly less than half of the 50¢ per square foot valuation placed on the front property abutting 51st Street. He noted the apartment construction in the area and the potential use of this vacant land. He stated that the value set by the Board of Equalization was the same as for the back portion of adjoining property. Councilman Gage commented that the property in question had no street access unless the house on the front property were torn down. Councilman Johnson expressed the view that this property should be valued at the same amount as the property to the front, since it was twice as large as the front property.

Regarding Parcels No. 2-1901-1006 and 2-1901-1007, Mr. Klitgaard stated that the valuation was based on sales in the area and was the same as for other property in the area. Councilman Gage believed the value should be affected by the possible condemnation of a portion of it for right of way.

#### Motion

Councilman Janes moved that the Council sustain the assessed value set by the Board of Equalization on the property in Parcels No. 2-2014-0204 and 2-2014-0205. The motion, seconded by Councilman MacCorkle, failed to carry by the following vote:

Ayes: Councilmen Janes, MacCorkle, Mayor LaRue  
Noes: Councilmen Atkison\*, Gage, Johnson, Price

Councilman Atkison stated for the record that he was contesting the ruling of the City Attorney that his vote did not count.

Councilman Johnson moved that the full value on property in Parcel No. 2-2014-0205 be adjusted to a basis which was 1/2 the basis used for valuing the land in Parcel No. 2-2014-0204 and that the Council sustain the assessed value set by the Board of Equalization on Parcel No. 2-2014-0204 as follows:

\*Councilman Atkison's vote was not counted in accord with the ruling of the City Attorney.



JESSE J. BARTLETT		Assessed Value Fixed by Board	Council Action
1410 East 51st St. Southeast 52.5 x 203 ft. av. of South 1/2 of West 1/2 of Lot 11, Ridgetop Gardens Parcel #2-2014-0204	LAND	\$2,580	\$2,580
	IMPROVEMENTS	<u>3,720</u>	<u>3,720</u>
	TOTAL	\$6,300	\$6,300
Vacant North 202.94 ft. av. of West 102.5 ft. Lot 11, Ridgetop Gardens Parcel #2-2014-0205	m LAND	\$3,230	\$2,580
	IMPROVEMENTS	<u>0</u>	<u>0</u>
	TOTAL	\$3,230	\$2,580

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Abstain: Councilman Atkison

Councilman Atkison stated that he did not believe Mr. Bartlett was getting a legal vote in that Councilman Atkison's vote should count.

Councilman Janes moved that the Council sustain the assessed value set by the Board of Equalization on the property in Parcels No. 2-1901-1006 and 2-1901-1007 as follows:

JESSE J. BARTLETT		Assessed Value Fixed by Board	Council Action
1102 West 34th Lots 6, 7 and 8, Block 3, Glen Ridge Parcel #2-1901-1006	LAND	\$18,290	\$18,290
	IMPROVEMENTS	<u>0</u>	<u>0</u>
	TOTAL	\$18,290	\$18,290
1104 West 34th Lots 9 and 10, Block 3, Glen Ridge Parcel #2-1901-1007	LAND	\$11,080	\$11,080
	IMPROVEMENTS	<u>19,170</u>	<u>19,170</u>
	TOTAL	\$30,250	\$30,250

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue  
 Noes: Councilmen Atkison\*, Gage, Price

\*Councilman Atkison's vote was not counted in accord with the ruling of the City Attorney.

RECESSED MEETING

1:00 P.M.

The meeting was re-convened with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Absent: Councilman Atkison

APPEALS RE-SCHEDULED

Mayor LaRue noted that the following Tax Appeals would be re-scheduled for a later date at the request of the appellant:

EULA BROWN  
JOEL M. CHILDRESS

MEETINGS SET

After some discussion, the Council set Special Meetings for the purpose of hearing Tax Appeals at 9:00 A.M., December 21, 1970, and at 9:00 A.M., December 28, 1970.

APPEAL WITHDRAWN

Mr. Klitgaard noted that the following Tax Appeal had been withdrawn:

WALTER CARRINGTON

APPEALS HEARD

	<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Valued Fixed by Board</u>
<b>ALBERT S. BRIENT</b>					
2819 San Gabriel					
Lot 1 and 2	LAND \$ 4,541	\$ 7,946	\$ 5,960	Not Signed	\$ 5,110
less SE 44.6	IMPS <u>15,058</u>	<u>17,045</u>	<u>12,780</u>		<u>12,780</u>
x 29 ft. Block 3					
Outlot 70,	TOTAL \$19,599	\$24,991	\$18,740		\$17,890
Division D, Byrne Subdivision Parcel No. 2-1601-0636					

Mr. Albert Brient stated that he had purchased this land for \$3,000 in 1969. He also objected to the increase in valuation on the improvements. He stated that with this tax increase, he would not obtain a 5% return on his investment. He stated that because of hippie residents on both sides of this property, this property was almost impossible to rent. He also noted two sewer easements which reduced the depth of the property.

Mr. Klitgaard stated that the \$60 per front-foot which had been set by the Board of Equalization was the same as for all other property in the area. He stated that 24% depreciation had been allowed on the duplex constructed in 1954. Councilman Janes discussed with Mr. Klitgaard what average effective depth was used for the valuation.

Councilman Janes moved that the Council sustain the assessed value set by the Board of Equalization. The motion died for lack of a second.

Councilman Johnson moved the full value of the land be adjusted to \$6,000 and the Council set the assessed value of the property as follows:

ALBERT S. BRIENT		Assessed Value Fixed by Board	Council Action
2819 San Gabriel	LAND	\$ 5,110	\$ 4,500
Lot 1 and 2	IMPROVEMENTS	<u>12,780</u>	<u>12,780</u>
less SE 44.6 x 29 ft.			
Block 3, Out Lot 70			
Division D,			
Byrne Subdivision			
Parcel No. 2-1601-0636	TOTAL	\$17,890	\$17,280

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

JAMES D. BURNHAM	Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
4612 Marlo Drive					
Tract A, LAND	\$ 3,728	\$ 4,970	\$ 3,730	\$ 2,800	\$ 3,730
James D. IMPS	<u>15,473</u>	<u>18,063</u>	<u>13,550</u>	<u>11,600</u>	<u>13,550</u>
Burnham Subd.					
of a portion of the Henry	TOTAL \$19,201	\$23,033	\$17,280	\$14,400	\$17,280
Warnell League					
Parcel No. 2-1519-0410					

Mr. James D. Burnham stated that six or seven years earlier the City Council had promised to provide a good access road to this subdivision to replace Old Kleberg Lane which was removed because of the airport and golf course. Of the two remaining access roads, he noted that one was unpaved and the other had a problem of trash build-up from a City dump. He also noted the noise problem from Bergstrom and Municipal Airport planes. He presented a petition from Marlo Heights residents opposed to a tax increase. As an index of market value, he cited the sale price of five lots in the area which had been sold by the City about two years previously. He also believed that market value of his property was hurt by black residents across 19th street. He felt that the value should be kept at the 1969 level.

Mr. Klitgaard stated that this property was valued at \$2,000 an acre, considerably lower than subdivided lots in the area, including those sold by the City to which Mr. Burnham had referred. The influence of the airport had been taken into account. Mr. Klitgaard stated that an additional 10% depreciation had been allowed on the house, over and beyond normal depreciation.

Councilman MacCorkle moved that the Council sustain the assessed value set by the Board of Equalization as follows:

JAMES D. BURNHAM		<u>Assessed Value Fixed by Board</u>	<u>Council Action</u>
4612 Marlo Drive	LAND	\$ 3,730	\$ 3,730
Tract A, James D. Burnham Subdivision of a portion of the Henry Warnell League	IMPROVEMENTS	<u>13,550</u>	<u>13,550</u>
Parcel No. 2-1519-0410	TOTAL	\$17,280	\$17,280

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Atkison

	<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
THEODORE W. BERENSEN					
By Tom Gee LAND	\$ 979,188	\$2,083,641	\$1,562,730	\$ 734,390	\$1,562,730
Capital Plaza IMPS Lot A, Capital Plaza Subdivision	<u>2,770,400</u>	<u>2,871,122</u>	<u>2,153,340</u>	<u>2,077,800</u>	<u>2,153,340</u>
Parcel No. 2-2414-0218	TOTAL \$3,749,588	\$4,954,763	\$3,716,070	\$2,812,190	\$3,716,070

	<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
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THEODORE W. BERENSEN  
By Tom Gee

Capital Plaza					
Lot C, LAND	\$21,478	\$30,374	\$22,780	\$16,110	\$22,780
Capital Plaza IMPS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Subdivision TOTAL	\$21,478	\$30,374	\$22,780	\$16,110	\$22,780

Parcel No. 2-2414-0221

Mr. Tom Gee noted that the land value had been increased 111%. He believed that this valuation was out of line with comparable shopping centers in the south quadrant of the City. He objected to the valuation on land being based on what the value of the land would be if vacant. He stated that there were tax escalation clauses in only about 10% of their leases and there was no room left for any further construction. He believed that the income approach should be used, instead, for valuation, and he had presented the Tax Department with operating statement figures. At a 9-11% return, which was average, the value of this property would be at about the level set for 1969.

Mr. Klitgaard stated that his land was appraised at \$1.25 per square foot. He believed that the total appraised value was reasonable, although the breakdown of it into land and improvements was somewhat arbitrary. He stated that all approaches, not just the income approach, should be used for appraising property. He stated that the operating statement data had been taken into account. He offered to review new data which Mr. Gee stated would be made available.

Mayor LaRue noted that it was the will of the Council that this case be reviewed by the Tax Department in light of new information which Mr. Gee would provide.

	<u>Full Value by the Tax Dept. 1969</u>	<u>Full Value by the Tax Dept. 1970</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
JOHN A. CHRISTIE					
4411 Shoalwood					
Lot 15 LAND	\$2,219	\$ 3,549	\$2,660	\$1,000	\$2,660
and North IMPS	<u>6,456</u>	<u>6,865</u>	<u>5,150</u>	<u>5,000</u>	<u>5,150</u>
25 feet					
Lot 16, Block 14					
Rosedale E TOTAL	\$8,675	\$10,414	\$7,810	\$6,000	\$7,810

Parcel No. 2-2302-0605

Mr. John Christie stated that a minor geological fault passed through the center of his house, resulting in the periodic shifting of the land and destruction of all masonry. He believed the land as a building site was worthless. He noted that this geological fault affected only the center section of the east side of the 4400 block of Shoalwood.

Mr. Klitgaard stated that in recognition of this phenomonon an additional 30% depreciation had been allowed on the improvements, over and beyond normal depreciation.

Councilman Gage moved that the full value of the property in Parcel No. 2-2302-0605 be adjusted to the 1969 level. The motion, seconded by Councilman Price, failed to carry by the following vote:

- Ayes: Councilmen Gage, Johnson, Price
- Noes: Councilmen Janes, MacCorkle, Mayor LaRue
- Absent: Councilman Atkison

Councilman Janes left the Council meeting at this time.

Councilman MacCorkle moved that the full value on the land be adjusted to \$2,000 and that the Council sustain the assessed value set by the Board of Equalization on the improvements as follows:

JOHN A. CHRISTIE		Assessed Value Fixed by Board	Council Action
4411 Shoalwood	LAND	\$2,660	\$1,500
Lot 15 and North	IMPROVEMENTS	<u>5,150</u>	<u>5,150</u>
25 feet Lot 16, Block 14, RosedaleEE			
Parcel No. 2-2302-0605	TOTAL	\$7,810	\$6,650

The motion, seconded by Councilman Johnson, carried by the following vote:

- Ayes: Councilmen Gage, Johnson, MacCorkle, Price, Mayor LaRue
- Noes: None
- Absent: Councilmen Atkison, Janes

APPEALS NOT HEARD

The following Appeals were not heard as scheduled due to the absence of the appellants:

- WALTER BOHN
- CHARLES RAY BRADSHAW
- GLADYS C. BROWN
- ALGER L. BYRD
- JOE P. CALLAN, JR.

ADJOURNMENT

Councilman Price moved the Council adjourn. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilmen Atkison, Janes

The Council then adjourned.

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

ATTEST: \_\_\_\_\_  
City Clerk