



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Bohler-Uddeholm Corporation
DOCKET NO.: 15-01303.001-I-1
PARCEL NO.: 06-05-428-009

The parties of record before the Property Tax Appeal Board are Bohler-Uddeholm Corporation, the appellant, by attorney Michael E. Crane, of Crane and Norcross, in Chicago, and the Kane County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$269,807
IMPR.: \$0
TOTAL: \$269,807

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Kane County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2015 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a 213,202 vacant square foot site or approximately 4.89-acres of land area. The subject property is zoned PGI, Planned General Industrial District. The parcel is located in Elgin, Elgin Township, Kane County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal prepared by David Conaghan and David Barros, Certified General Real Estate Appraisers. Utilizing the sales comparison approach to value, the appraisers estimated the subject property had a market value of \$535,000 as of January 1, 2015.

The appraisers analyzed five comparable sales located in Elgin or Bartlett, Illinois. The comparable parcels range in size from 186,881 to 367,646 square feet of land area. The comparables sold between June 2012 and March 2015 for prices ranging from \$400,000 to

\$575,000 or from \$1.37 to \$2.51 per square foot of land area. The appraisers considered qualitative adjustments to the comparables for differences as outlined on pages 37 and 38 of the appraisal report. From this process, the appraisers estimated the subject's value range to be from \$2.00 to \$2.50 per square foot of land area. The appraisers estimated the subject's market value to be \$2.50 per square foot of land area or \$535,000, rounded.

Based on this evidence, the appellant requested an assessment reflective of the appraisal value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$269,807. The subject's assessment reflects a market value of \$809,988 or \$3.80 per square foot of land area when using the 2015 three year average median level of assessment for Kane County of 33.31% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review through the township assessor submitted an appraisal prepared by Phillip Butler, Certified General Real Estate Appraiser. Utilizing the sales comparison approach to value, the appraiser estimated the subject property had a market value of \$960,000 as of January 1, 2015.

The appraiser analyzed four comparable sales located in Elgin, Illinois. The comparable parcels range in size from 318,459 to 812,098 square feet of land area. The comparables sold between December 2012 and August 2015 for prices ranging from \$1,162,500 to \$3,165,000 or from \$3.65 to \$6.35 per square foot of land area. The appraiser considered adjustments to the comparables for differences as outlined on pages 30 to 32 of the appraisal report. The category of Market Conditions/Time of Sale of the comparables was adjusted upward at a rate of 5% from the date of sale to the date of valuation, based upon information from CoStar of average sale prices of industrial land parcels of 1 to 30 acres in the collar county Chicago metro area which resulted in adjusted sale prices ranging from \$3.78 to \$6.22 per square foot of land area. From this process, the appraiser wrote, "Each sale requires upward adjustment. downward overall adjustments." (Page 33). The appraiser determined comparable sale #3 as adjusted appeared to be outside the range of value indications. In light of sales #1, #2 and #4, the appraiser estimated the subject's market value to be \$4.50 per square foot of land area or \$960,000, rounded.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

Both parties submitted appraisals of the subject property with opinions of value as of January 1, 2015. Both appraisers solely relied upon the sales comparison approach to value in arriving at their respective opinions. Both appraisers utilized several sales that occurred in 2012, a date

remote in time to the valuation date at issue of January 1, 2015. Appellant's appraiser concluded an estimated market value for the subject of \$2.50 per square foot of land area and the assessing official's appraiser concluded an estimated market value for the subject of \$4.50 per square foot of land area.

Given several dated sales considered by both appraisers in arriving at their respective conclusions, the Board has given little weight to these conclusions of value in the appraisal reports finding that they are insufficient to arrive at a reasonable and well-supported opinion of value as of the assessment date of January 1, 2015. With the exception of appraisal sale #3 in the board of review's report and despite substantial differences in land area of the comparables, the Property Tax Appeal Board has placed most reliance upon the three most recent sales in the record drawn from both appraisal reports. These most recent sales sold between December 2014 and August 2015 for prices ranging from \$1.37 to \$3.90 per square foot of land area. The parcels ranged in size from 219,455 to 812,098 square feet of land area.

The subject's assessment reflects a market value of \$809,988 or \$3.80 per square foot of land area for a parcel of 213,202 square feet of land area. The subject's estimated market value of \$3.80 per square foot is within the range of the most recent comparable sales on a per-square-foot basis and appears to be justified when giving due consideration to differences in land area when compared to the subject. Based on this evidence the Board finds a reduction in the subject's assessment is not justified.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Acting Member



Member



Member

DISSENTING: _____

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: July 21, 2017



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of

the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.