



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

APPELLANT: Lincoln USA LLC (Ashok Patel)
DOCKET NO.: 18-05687.001-C-1
PARCEL NO.: 90-20-300-005

The parties of record before the Property Tax Appeal Board are Lincoln USA LLC (Ashok Patel), the appellant, by attorney Robert W. McQuellon III, Attorney at Law in Peoria; and the Knox County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds ***a reduction*** in the assessment of the property as established by the **Knox** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$28,640
IMPR.: \$471,360
TOTAL: \$500,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Knox County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2018 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 gas station/convenience store with 6,336 square feet of building area. The improvements were built in 1997. Features of the subject property include canopy-covered gas pumps and a retail/convenience store of masonry exterior construction.¹ The subject has a site containing 97,574 square feet of land area and a land-to-building ratio of 15.4:1. The subject property is located in Galesburg, City of Galesburg Township, Knox County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located in Creve Coeur, Decatur, and Elgin. The appellant submitted Costar information sheets associated with each of the three

¹ Some descriptive information was gleaned from the photographs of the subject property included in evidence as part of the appellant's submission.

comparable properties which depict each of the comparables as a gas station/convenience store with the improvements ranging in size from 3,582 to 5,700 square feet of building area. The comparables have sites ranging in size from 37,897 to 62,726 square feet of land area and have land-to-building ratios ranging from 7.83:1 to 12.14:1. The comparables sold from January to July 2016 for prices ranging from \$800,500 to \$1,100,000 or from \$185.95 to \$223.48 per square foot of building area, land included.

The appellant's submission included a copy of the Notice of Final Decision on Assessed Value by Knox County Board of Review disclosing the total assessment for the subject of \$575,170. The subject's assessment reflects a market value of \$1,720,520 or \$271.55 per square foot of building area, land included, when using the 2018 three-year average median level of assessment for Knox County of 33.43% as determined by the Illinois Department of Revenue.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$500,000 which would reflect a market value of approximately \$1,500,000 at the statutory level of assessment of 33.33%.

The board of review did not submit its "Board of Review Notes on Appeal" nor any evidence in support of its assessed valuation of the subject property and was found to be in default by letter dated December 31, 2020. On February 18, 2021, the Property Tax Appeal Board advised the Knox County Board of Review that having been found to be in default, no evidence will be considered from the Knox County Board of Review in this appeal.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the board of review did not timely submit any evidence in support of its assessment of the subject property or to refute the evidence submitted by the appellant as required by Section 1910.40(a) of the Rules of the Property Tax Appeal Board and is in default pursuant to Section 1910.69(a) of the Rules of the Board. (86 Ill.Admin.Code §1910.40(a); 1910.69(a)).

The Board finds the only evidence of market value to be the three comparable sales submitted by the appellant. These comparables sold from January to July 2016 for prices ranging from \$800,500 to \$1,100,000 or from \$185.95 to \$223.48 per square foot of building area, land included. The subject's assessment reflects a market value of \$1,720,520 or \$271.55 per square foot of building area, land included, which is above the range established by the only comparable sales in this record. Based on this record, the Board finds that the market value as reflected by the subject's assessment is excessive, and a reduction in the subject's assessment commensurate with the appellant's request is 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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



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:

February 15, 2022



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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