



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

APPELLANT: Petroleum Fuel & Terminal Co.
DOCKET NO.: 20-07042.001-I-1
PARCEL NO.: 01-14.0-212-002

The parties of record before the Property Tax Appeal Board are Petroleum Fuel & Terminal Co., the appellant, by attorney Robert G. Wuller, of Neville Richards & Wuller, LLC in Belleville; and the St. Clair 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 **St. Clair** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$258,932
IMPR.: \$21,170
TOTAL: \$280,102

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the St. Clair County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2020 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 27,420 square foot warehouse building of concrete block exterior construction that was constructed in 1950. The building has a ceiling height of approximately 14 feet in the warehouse areas, four overhead doors, and fourteen sliding doors. The property also features two above-ground fuel storage tanks and a partially torn down filling station. The property has an 854,995 square foot, or 19.62 acre, site and is located in East St. Louis, East St. Louis Township, St. Clair County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$860,000 as of January 1, 2020. The appraisal was prepared by Lance D. Lunte, MAI, a certified general real estate appraiser, for ad valorem tax purposes.

The appraiser explained the subject's site size is 19.62 acres of land area, following the most recent acquisitions by the Illinois Department of Transportation of 0.0728 of an acre in 2013 and 0.2536 of an acre in 2014.

The appraiser stated the subject building has deferred maintenance items, such as missing roof areas, deteriorated or missing downspouts and gutters, broken or missing windows, deteriorating wood fascia and soffits, and deteriorated overhead and sliding wood doors. The appraiser asserted the building was designed for 10% office use, but the office areas are in poor condition as a result of the deferred maintenance issues and could not presently support an office use. The appraiser further asserted all electrical wiring, plumbing, and HVAC systems have been removed or are non-functional. The appraiser stated the subject property has not been used for 20 years and the fuel storage tanks at the end of their economic life and the partially torn down filling station did not add to the subject's value.

The appraiser did not develop the income approach because the subject is not currently leased and any lease of the subject would require demolish of the existing improvements and redevelopment for an alternative use of a lessee.

Under the cost approach, the appraiser selected seven land sale comparables ranging in size from 348,480 to 1,966,320 square feet of land area. The comparables sold from July 2016 to August 2019 for prices ranging from \$240,000 to \$2,700,000 or from \$0.66 to \$2.07 per square foot of land area. The appraiser made adjustments to the comparables for differences from the subject, such as location, site size, and other characteristics, to arrive at adjusted sale prices ranging from \$0.56 to \$1.31 per square foot of land area. Based on the foregoing, the appraiser concluded a land value for the subject of \$0.93 per square foot of land area or \$795,000 rounded.

The appraiser next calculated the replacement cost new of the subject building using the Marshall & Swift cost rates for a distribution warehouse to arrive at a replacement cost new of \$1,314,875 or \$48.27 per square foot of building area. The appraiser deducted depreciation of 96% or \$1,262,280 from the replacement cost new to calculate a depreciated value for the building of \$52,595. The appraiser then added the value of the depreciated other improvements of \$5,826, the land value of \$795,000, and the depreciated building value of \$52,595 to conclude a value for the subject under the cost approach of \$854,000 rounded.

Under the sales comparison approach, the appraiser selected five comparable sales of industrial properties. The parcels range in size from 2.30 to 19.05 acres of land area and are improved with warehouse buildings ranging in size from 9,120 to 34,379 square feet of building area. The buildings were constructed from 1967 to 1995 and are in the same or better condition than the subject. Each building features 10 to 24 foot ceiling heights and four comparables have from four to seven drive-in overhead doors. One comparable has a 5,000 square foot carport. The comparables sold from March 2016 to February 2020 for prices ranging from \$100,800 to \$955,000 or from \$8.40 to \$27.78 per square foot of building area, including land. The appraiser made adjustments to the comparables for differences from the subject, such as location, site size, building size, quality, age, condition, and utility, to arrive at adjusted sale prices ranging from \$30.57 to \$36.67 per square foot of building area, including land. Based on the foregoing, the appraiser concluded a market value for the subject under the sales comparison approach of \$32.00 per square foot of building area, including land, or \$872,000 rounded.

In reconciliation, the appraiser gave the equal weight to the cost and sales comparison approaches to opine a market value for the subject of \$860,000 as of January 1, 2020.

The appellant also submitted a brief contending that the appellant and the county dispute the subject's site size. The appellant explained that the appraiser relied on a survey of the subject showing 19.62 acres whereas the subject's property record card shows 24.5418 acres.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$357,389. The subject's assessment reflects a market value of \$1,097,295 or \$40.02 per square foot of living area, land included, when using the 2020 three year average median level of assessment for St. Clair County of 32.57% as determined by the Illinois Department of Revenue.

The board of review asserted the subject's site size is correct as 4.16 acres are located on the other side of the street and should be included in the total acreage. The board of review presented a parcel map showing 19.69 acres on one side of North B Street and 4.16 on the other side of the street. The board of review offered to stipulate to a total assessment of \$344,465.

In response, the appellant rejected the board of review's offer. The appellant agreed that the 4.16 acres is part of the subject property but contended that the total site size is 19.62 acres.

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 only evidence of market value in this record is the appraisal presented by the appellant. The appraiser selected similar comparables and made appropriate adjustments to the comparables in concluding a land value for the subject under the cost approach and a market value for the subject under the sales comparison approach. Based on an inspection of the subject property, the appraiser made a credible conclusion that the fuel storage tanks, office area, and filling station do not add value to the subject property. Based on the foregoing, the Board finds the appraisal states a credible and reliable conclusion of value for the subject property.

The Board notes that the parties dispute whether the subject includes an additional approximately five acres of land area. The Board finds the appraisal presents a more credible calculation of the subject's size. The appraiser researched the history of the subject parcel and explained the most recent changes to the subject's site size, whereas the board of review only presented a parcel map

without and supportive evidence regarding how and when this map was developed and how it has been adjusted for the transfers to the Illinois Department of Transportation.

The Board finds the subject property had a market value of \$860,000 as of the assessment date at issue. Since market value has been established the 2020 three year average median level of assessments for St. Clair County of 32.57% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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: June 27, 2023



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

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