



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

APPELLANT: Old Second National Bank
DOCKET NO.: 21-05654.001-C-2
PARCEL NO.: 15-04-256-018

The parties of record before the Property Tax Appeal Board are Old Second National Bank, the appellant, by attorney Franco A. Coladipietro, of Amari & Locallo in Bloomingdale; and the Kane 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 **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$104,696
IMPR.: \$258,601
TOTAL: \$363,297

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 2021 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 single-story branch bank building of masonry construction with brick exterior that has 10,896 square feet of building area. The building was constructed in 1992. Features of the property include a centrally located open front lobby, secured teller work areas, a walk-in vault, restrooms, break room, mechanical room, private offices, a conference room and a six-lane drive up teller station with a canopy. The average daily traffic for the subject's street is not reported, although traffic on a nearby street totals 23,400 vehicles per day. The property has an approximately 1.75-acre or 76,230 square foot site, a 7.0:1 land-to-building ratio, a 90-space asphalt paved parking lot and is located in North Aurora, Aurora Township, Kane 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 \$1,090,000 as of January 1, 2018. The appraisal was prepared by Alison Hastings, a Certified General Real

Estate Appraiser with an MAI designation. The appraisal was developed to establish the fair market value of the subject property and for ad valorem purposes. In estimating the market value of the subject property, the appraiser developed the cost and sales comparison approaches to value.

In developing the cost approach to value, the appraiser opined the subject's site had a value of \$534,000, when using four market value land sales. The appraiser utilized the Marshall Valuation Service to determine the total replacement cost of the subject improvements, assuming a Class C Branch Bank building with an Average to Good quality rating, of \$1,906,800. Physical and functional depreciation was estimated to total \$1,426,286 while the cost of the "As-Is" value of the site improvements was estimated at \$80,000. Adding the land value, the depreciated value of the improvements and the "As Is" site improvements, the appraiser arrived at an indicated value for the subject, under the cost approach of \$1,095,000. (rounded)

For the sales comparison approach, the appraiser selected five comparable sales located in Elburn, Batavia, Carpentersville, Elgin and St. Charles all of which are in Kane County. The comparables have sites that range in size from 25,725 to 150,625 square feet of land area and land-to-building ratios ranging from 8.8:1 to 31.3:1. The properties are improved with single story branch bank buildings that have masonry exterior construction that were built from 1993 to 2006. The buildings range in size from 2,579 to 8,699 square feet of building area with one having a basement. Each comparable has canopy covered drive-up teller lanes, heating and cooling, parking spaces. The average daily traffic (ADT) count of the comparables ranges from 6,400 to 33,100 vehicles. The comparables sold from July 2016 to September 2017 for prices of \$252,520 to \$1,410,000 or from \$97.91 to \$162.09 per square foot of building area, land included.

The appraiser developed a qualitative adjustment chart for the comparables adjusting for differences with the subject in location, visibility/traffic count, building size, age, land-to-building ratio and other features and opined a market value for the subject under the comparable sales approach of \$100.00 per square foot of building area or \$1,090,000 (rounded).

In reconciling the two approaches to value, the appraiser stated the sales comparison approach to be most relevant and reliable valuation approach concluding an estimated opinion of market value for the subject of \$1,090,000 as of January 1, 2018. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value of the subject property.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$632,023. The subject's assessment reflects a market value of \$1,896,259 or \$174.03 per square foot of building area, land included, when using the 2021 three-year average median level of assessment for Kane County of 33.33% as determined by the Illinois Department of Revenue.

In response to the appellant's appraisal evidence, the board of review submitted written comments, noting that the five comparable sales selected by the appraiser are located outside of Aurora Township.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located in Aurora Township and from 2.42 to 3.40 miles from the subject property. Comparable #1 was described as the sale of the first floor of a four story building. The

comparables have sites that range in size from 0.21-acre to 1.47-acres and are improved with one-story, two-story or four-story buildings of masonry exterior construction that range in size from 5,828 to 19,200 square feet of building area. The buildings were constructed from 1891 to 2005. Two of the properties are branch bank buildings with drive-up lanes. The comparables sold from November 2016 to December 2017 for prices ranging from \$1,700,000 to \$2,600,000 or from \$135.42 to \$309.80 per square foot of building area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 appellant submitted an appraisal and the board of review submitted three comparable sales for the Board's consideration. Both parties' comparable properties sold in either 2016 or 2017, more than three years prior to the January 1, 2021 assessment date at issue.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant which estimated the market value of the subject property to be \$1,090,000 as of January 1, 2018. While the appraisal has an effective date of January 1, 2018, the board of review failed to provide any comparable market sales that have sale dates closer to the January 1, 2021 assessment date at issue in this appeal. Furthermore, the appraisal comparables are adjusted to account for differences from the subject property in building size, land-to-building ratio and visibility/access to higher traffic streets. The subject's assessment reflects a market value of \$1,896,259 or \$174.03 per square foot of living area, including land, which falls above the appraised value. Since market value has been established the 2021 three-year average median level of assessments for Kane County of 33.33% 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:

October 17, 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

AGENCY

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