

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Midwest Bank & Trust
DOCKET NO.: 03-30485.001-C-1 through 03-30485.004-C-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Midwest Bank & Trust, the appellant, by attorney Deborah Petro of the Law Offices of Deborah M. Petro, Chicago, Illinois; and the Cook County Board of Review.

The subject property is improved with two commercial buildings having a total building area of 21,834 square feet. The main building was constructed in 1959 and contains 18,140 square feet while the second building was constructed in 1978 and contains 3,694 square feet. The improvements are located on a 66,861 square foot site in Elmwood Park, Leyden Township, Cook County.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$2,070,000 as of January 1, 2001. The appellant also submitted documentation disclosing the property in this appeal was the subject matter of an appeal before the Property Tax Appeal Board for the prior year under Docket No. 02-30059.001-C-1 through 02-30059.004-C-1. In that appeal, the Property Tax Appeal Board issued a decision based upon an agreement of the parties reducing the total assessment to \$813,000. In its submission the appellant indicated the subject's final assessment for 2003 totaled \$857,367. The subject's assessment reflects a market value of approximately \$2,256,230 using the Cook County Real

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

Docket No.	Parcel No.	Land	Impr.	Total
03-30485.001-C-1	12-36-431-004-0000	\$94,651	\$46,324	\$140,975
03-30485.002-C-1	12-36-431-005-0000	\$121,318	\$69,486	\$190,804
03-30485.003-C-1	12-36-431-012-0000	\$87,403	\$35,454	\$122,857
03-30485.004-C-1	12-36-431-013-0000	\$119,865	\$238,499	\$358,364

Subject only to the State multiplier as applicable.

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Property Assessment Classification Ordinance level of assessment for class 5a property of 38%. Based on this evidence the appellant requested the subject's total assessment be reduced to \$813,000.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

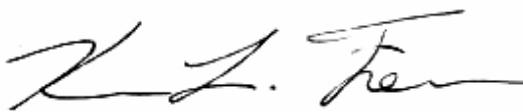
The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant in this appeal submitted the only evidence of market value in the record. The appellant submitted an appraisal estimating the subject property had a market value of \$2,070,000 as of January 1, 2001. The appellant also provided documentation disclosing that in 2002 the subject property was the subject matter of an appeal before the Property Tax Appeal Board wherein the Board issued a decision based upon an agreement of the parties reducing the total assessment to \$813,000. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. The Board has examined the information submitted by the appellant and finds that it supports a reduction in the assessed valuation of the subject property commensurate with the appellant's request.

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



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

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 26, 2007



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

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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.