FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Parke & Son
DOCKET NO.: 09-00150.001-C-2
PARCEL NO.: 07-07-36-251-004

The parties of record before the Property Tax Appeal Board are Parke & Son, the appellant, by attorney Jackson E. Donley in Springfield, and the Macon County Board of Review.

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 **Macon** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	$70,621
IMPR.:	$566,729
TOTAL:	$637,350

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story industrial building with approximately 76,800 square feet of building area. The building was constructed in 1980. The subject has a steel frame with concrete block and steel exterior walls and a clear ceiling height of 20 feet. The subject has employee parking to accommodate 25 cars. The subject property has a 4.08 acre site resulting in a land to building ratio of 2.31:1. The property is located in Decatur Township, Macon County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a report titled "Logic Overview" prepared by Property Tax Services, Inc. The report contained a "Uniformity Proviso 'UP ID 09-01109'" analysis prepared by Michael Lipowsky, Business and Property Specialist, Investigative Reporter. In this analysis, Lipowsky selected eight "like kind" sales. The comparables were located in Decatur, Peoria, Effingham, Centralia, Streator and Collinsville, Illinois. The data provided by the investigative reporter stated that the comparables ranged in effective age from 9 to 25 years old. The comparables ranged in size from 68,280 to

160,000 square feet of building area. These properties had office areas ranging in size from 2% to 18% of building area, clear ceiling heights ranging from 20 feet to 28 feet, and land to building ratios ranging from 2.49:1 to 6.42:1. The sales occurred from August 2002 to July 2008 for prices ranging from $1,000,000 to $3,650,000 or from $11.17 to $24.78 per square foot of building area, including land. Based on these comparables and making qualitative adjustments to the comparables for such factors as sale date, building size, location, office area, land to building ratio, effective age, clear ceiling height, class of construction and quality of construction, the investigative reporter concluded the subject has a value of $18.50 per square foot, including land. Applying this estimate of value Lipowsky estimated the subject property would have an upper limit of predicted sale price of $1,420,800.

The board of review submitted its "Board of Review Notes on Appeal" wherein the assessment of the subject totaling $701,350 was disclosed. The subject's total assessment reflects a market value of $2,094,207 or $27.27 per square foot of building area, land included, when applying the 2009 three year average median level of assessments for Macon County of 33.49%.

In support of the subject's assessment, the board of review submitted three sales located in Decatur. The board of review's comparable #1 is the same property as the appellant's comparable #3 and the board of review's comparable #3 is the same property as the appellant's comparable #1. The comparables were described as being improved with one-story industrial buildings with total building areas ranging from 116,200 to 160,000 square feet. The comparables were constructed from 1977 to 1994. The sales occurred from August 2005 to November 2008 for prices ranging from $3,000,000 to $5,150,000 or from $22.81 to $44.32 per square foot of building area, including land.

The board of review also critiqued the appellant's three sales located in Macon County and argued that the remaining sales are located throughout the State of Illinois.

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

In rebuttal the appellant submitted a copy of the Real Estate Transfer Declaration for the board of review's comparable #2, which disclosed that the sale was not advertized.

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

The appellant contends overvaluation as the basis of the appeal. 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). 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 has met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted a "Logic Overview" containing 8 sales used by the investigative reporter to arrive at an estimate of value for the subject property of $18.50 per square foot of building area, including land. The board of review agreed that the appellant's comparables #1 and #3, which were also submitted by the board of review, were somewhat similar to the subject. The board of review also argued that the appellant's sale #1 erroneously had its sale price lowered from $3,000,000 to $2,500,000 due to personal property included with the sale. The board of review submitted the Real Estate Transfer Declaration for this comparable, in which some of the personal property on the list appears to be real property. The Property Tax Appeal Board has reviewed this list and finds that some of the property listed does appear to be real property permanently affixed to the improvement. Furthermore, the list of personal property does not allocate a monetary value to each item making a sale price adjustment improper.

In reviewing the comparable sales in this record, the Property Tax Appeal Board gave less weight to the appellant's comparables #2, #3, #4, #5, #7 and #8 due to their sale dates occurring greater than 26 months prior to the subject's January 1, 2009 assessment date. The Board, likewise, gave less weight to the board of review's comparable #1 due to its sale occurring greater than 41 months prior to the subject's January 1, 2009 assessment date. The Board also gave less weight to the board of review's comparable #2 due to its sale not being exposed to the real estate market, which does not meet one of the key elements of an arm's-length transaction. The Board finds the remaining two sales submitted by the parties were most similar to the subject. The sales occurred in March 2007 and July 2008 for prices of $3,000,000 and $1,900,000 or $20.04 and $24.78 per square foot of building area including land, respectively. The subject's assessment reflects a market value of $2,094,207 or $27.27 per square foot of building area including land, which is greater than the comparables in the record. After adjusting the comparables for differences when compared to the subject, the Board finds the subject's assessment is excessive and a reduction in the subject's assessment 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.

Chairman

Member

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: February 22, 2013

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.