



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

APPELLANT: ProLogis
DOCKET NO.: 09-28224.001-I-1
PARCEL NO.: 18-25-313-029-0000

The parties of record before the Property Tax Appeal Board are ProLogis, the appellant, by attorney Michael E. Crane, of Crane and Norcross in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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:

LAND: \$ 92,227
IMPR.: \$ 345,346
TOTAL: \$ 437,573

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2009 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 one-story industrial building containing 75,385 square feet of building area. It is situated on a 163,960 square foot site and was constructed in 1989. The property is located in Bridgeview, Lyons Township, Cook County.

The property is a class 5-93 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal report estimating the subject property had a market value of \$1,500,000 as of January 1, 2008.

The appraiser, on page 6 of the appraisal, noted that the property transferred in 1996 for \$1,586,581, however, the appraiser did not consider the transaction to be arm's-length. As the property was purchased by a REIT, he stated the purchase price was reflective of investment value rather than fee simple market value. No further evidence regarding the transfer was provided by the appraiser or the appellant.

The board of review submitted its "Board of Review-Notes on Appeal" disclosing the total assessment for the subject of \$437,573. The subject's assessment reflects a market value of \$1,750,292 or \$23.21 per square foot of building area, including land, when applying the 25% assessment level for commercial properties under the Cook County Classification of Real Property Ordinance. In support of the subject's assessment, the board of review also submitted a property record card for the subject, as well as sales data for six industrial warehouse or manufacturing properties located within five miles of the subject. The sales range: in size from 62,000 to 89,000 square feet of building area; in sale date from 2005 to 2007; and in price from \$1,500,000 to \$3,500,000 (bulk sale portfolio), or from \$24.19 to \$41.57 per square foot, including land.

The board of review also submitted a recorded PTAX-203-Illinois Transfer Declaration form and a recorded PTAX-203 A-Supplemental form. The board's evidence indicates the subject property was transferred more recently, in October 2006, for \$3,050,000. The supplemental form indicates that the parties believed the net consideration of \$3,050,000 to be a fair reflection of the market value on the sale date. It was signed by the appellant on October 30, 2006. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board does not find the appraiser's conclusion of value to be persuasive, as the appraisal failed to address the transfer of the subject in October 2006. The board of review provided evidence, signed by the appellant, that indicated the net consideration of \$3,050,000 reflected the subject's market value as of October 2006. Accordingly, the Board accords diminished weight to the appraisal and finds that the estimate of value for the subject property is unreliable.

As such, the Board finds that the best evidence of the subject's market value is the board's evidence of the sale of the subject in October 2006 for a price of \$3,050,000. In fact, the subject's sale price at \$40.46 per square foot, including land, as well as the subject's current market value of \$23.21 per square foot, including land, is within the range established by the sale comparables contained in the record. As the Board finds that the best evidence of the subject's market value is its sale, an assessment reduction based on the market value submitted into evidence is not warranted.

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: May 22, 2015



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.