



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

APPELLANT: 2500 Farnsworth, LLC  
DOCKET NO.: 10-01279.001-C-1  
PARCEL NO.: 15-02-200-044

The parties of record before the Property Tax Appeal Board are 2500 Farnsworth, LLC, the appellant, by attorney Terrence J. Griffin of Eugene L. Griffin & Associates, Ltd., Chicago; and the Kane 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 Kane County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$305,000  
**IMPR:** \$0  
**TOTAL:** \$305,000

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a vacant site with 165,963 square feet or 3.81 acres of land area. The property is located at 2500 Farnsworth Avenue, Aurora, Aurora Township, Kane County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a summary appraisal prepared by real estate appraisers Scott R. Kling and Edward V. Kling of Real Valuation Group, LLC. Both appraisers are Illinois Licensed Certified General Appraisers. Edward V. Kling also has the Member of the Appraisal Institute (MAI) designation. The appraisers estimated the subject property had a market value of \$700,000 as of January 1, 2010.

The purpose of the appraisal was to estimate the market value of the subject property. (Kling Appraisal page 1.) The property rights appraised are the fee simple estate. (Kling Appraisal page 2.) The property is zoned B-3 Business and Wholesale District which provides in part for the following uses; hotels and motels, retails sales and services, banks and financial institutions, business and professional offices, food and beverage services, vehicle sales and services, and day care. (Kling Appraisal page 15.) The appraisers determined the highest

and best use of the site as vacant is office development. (Kling Appraisal page 17.)

In estimating the market value of the subject property the appraisers developed the sales comparison approach to value. The appraisers described the subject property as a 3.81 acre tract of vacant land located on the southwest corner of the intersection of Bilter Road and Farnsworth Avenue in northeastern Aurora. The property is approximately ½ mile north of the I-88 expressway. (Kling Appraisal page 13.) The site had been improved with a second tier automobile dealership that was razed in 2008. The appraisers noted the property has no building or improvements other than some paving, which they concluded had no contributory value. (Kling Appraisal page 14.)

In developing the sales comparison approach the appraisers identified six comparable sales located in Aurora, Glendale Heights, Lisle and Naperville. The comparables ranged in size from 72,985 to 862,924 square feet of land area. The sales occurred from January 2008 to July 2009 for prices ranging from \$540,000 to \$3,050,000 or from \$3.53 to \$8.25 per square foot of land area. The appraisers made adjustments to each sale for such items as location, zoning/utility, shape/topography, and sale date/size. Sale #1 was given a 35% negative adjustment for date of sale, smaller size and superior location. Sale #2 was given a 40% negative adjustment for time of sale, superior location and smaller size. Sale #3 was given a 25% negative adjustment for superior market conditions at the date of sale and economies of scale (site size). Sale #4 was given a 35% negative adjustment to reflect its superior location on I-88 in Lisle. Sale #5 was given a 35% negative adjustment even though this property was more than twice as large as the subject property and is located in a primary office district off of the I-88 corridor. The appraisers considered sale #6 similar to the subject in all categories except size and made a positive 20% adjustment. Based on this analysis the appraisers estimated the sales had adjusted prices ranging from \$4.24 to \$4.95 per square foot of land area.

The appraisal also contained two listings of sites that had 4.32 acres and 3.13 acres, respectively. The first property had a list price of \$564,500 or \$3.00 per square foot of land area. The second site, located 1 mile north of the subject according to the report, was listed for \$900,000 or \$6.60 per square foot of land area.

Based on this analysis the appraisers estimated the subject property had a market value of \$4.25 per square foot of land area or \$700,000 as of January 1, 2010. The appellant requested the subject's assessment be reduced to \$230,330 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$305,000 was disclosed. The subject's assessment reflects a market value of \$914,269 or \$5.51 per square foot of land area

when using the 2010 three year average median level of assessments for Kane County of 33.36%.

In rebuttal, the board of review (BOR) stated that with the exception of sale #6, none of the appraisers' sales were located on a corner lot like the subject. The BOR further asserted none of the sales enjoy a signalized intersection as does the subject. The BOR argued that sale #1 had no frontage on a state highway, which should require a significant upward adjustment for exposure to traffic counts. The BOR did not understand the appraisers' statement that sale #2 had a superior location due to the fact its address is on an interior street in what is an office park. The BOR noted sale #3 is most distant from the subject in the central DuPage County community of Glendale Heights. It questioned the appraisers' assertion that this comparable required a minimum net adjustment but then made a -25% adjustment. The BOR also contends that sale #4 would appeal to a different buyer than for the subject. The BOR also stated the size of comparable #5 was misreported. The BOR stated this comparable had 214,042 square feet resulting in a sales price of \$12.15 per square foot of land area. The BOR stated that sale #6 was the only sale from Kane County and this was more than five times the size of the subject site. It noted this property had a planned development district (PDD) zoning and the city comprehensive plan indicates an office/research/light industrial classification for this area, which differs from the subject's commercial setting. It also stated this property is on a secondary arterial road. The BOR also asserted that the second listing is most proximate to the subject being ¼ mile north and located on an interior lot and is only accessible by eastbound traffic on Butterfield road.

The BOR also explained that the subject property was purchased by the present ownership in August 2005 for a price of \$3,000,000 or \$18.08 per square foot of land area. This price excluded the cost to demolish the former dilapidated auto dealership buildings. The BOR noted the appraised value of \$4.25 per square foot of land area represents a 76% decline in value. The BOR was not aware of any drops in prices that high other than in some large acreage parcels in outlying rural areas.

In further support of the assessment the BOR submitted information on four comparable sales located in Aurora that ranged in size from 35,719 to 348,044 square feet of land area. The comparables had B-3, B-2 or PDD zoning. The sales occurred from August 2009 to June 2010 for prices ranging from \$160,000 to \$1,275,000 or from \$3.66 to \$12.86 per square foot of land area.

The BOR also submitted a current listing for a 1.00 acre tract at 2505 North Farnsworth Avenue, Aurora, that has an asking price of \$600,000 or \$13.77 per square foot of land area.

Based on this evidence, the BOR requested confirmation of the assessment.

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 the appeal. The Board further finds the evidence in the record does not support 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 (3<sup>rd</sup> 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 not met this burden of proof and a reduction in the subject's assessment is not warranted.

The appellant submitted an appraisal estimating the subject property had a market value of \$700,000 as of January 1, 2010 or \$4.25 per square foot of land area. In support of the assessment the BOR submitted information on four comparable sales located in Aurora that sold from August 2009 to June 2010 for prices ranging from \$160,000 to \$1,275,000 or from \$3.66 to \$12.86 per square foot of land area. The BOR also provide information on a listing located at 2505 North Farnsworth Avenue, Aurora with a price of \$600,000 or \$13.77 per square foot of land area. The subject's assessment of \$305,000 reflects a market value of \$914,269 or \$5.51 per square foot of land area when using the 2010 three year average median level of assessments for Kane County of 33.36%.

In estimating the market value of the subject property the appellant's appraisers prepared the sales comparison approach using six comparable sales. The Board finds appraisal comparables #1 through #5 were most similar to the subject in size ranging from 72,985 to 214,042 square feet of land area after considering the correction to the size for comparable #5 as presented by the BOR. These properties sold for unadjusted prices ranging from \$540,000 to \$2,600,000 or from \$5.83 to \$12.15 per square foot of land area. The subject's assessment reflects a market value below the unadjusted sales prices on a square foot basis. The appraisal also contained one listing of a parcel with 136,343 square feet of land area or 3.13 acres located approximately ¼ mile from the subject, as indicated by the BOR, for a price of \$900,000 or \$6.60 per square foot of land area, which is above the market value reflected by the subject's assessment. Although the appellant's appraisers made adjustments to the sales, the Board finds the BOR presented rebuttal evidence and comments that called into question the credibility of the adjusted prices. The Board finds the sales used by the appellant's appraisers do not support a reduction in the subject's assessment.

The BOR also submitted four sales that had unit prices ranging from \$3.66 to \$12.86 per square foot of land area. The subject's

assessment reflects a market value within the range of the raw sales data presented by the BOR. Furthermore, the BOR submitted a current listing of a 1.00 acre tract at 2505 North Farnsworth Avenue, Aurora, with an asking price of \$600,000 or \$13.77 per square foot of land area, which is significantly above the market value reflected by the subject's assessment on a square foot basis.

As a final factor, the BOR asserted the subject property was purchased by the present ownership in August 2005 for a price of \$3,000,000 or \$18.08 per square foot of land area. This price excluded the cost to demolish the former dilapidated auto dealership buildings. The Board finds this sale, although dated, lends support to the conclusion that the subject's assessment is reflective of the property's market value as of January 1, 2010.

Based on this record the Board finds a reduction in the subject's assessment is not 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.

*Ronald R. Cuit*

Chairman

*Frank J. Huff*

Member

*Mario M. Louie*

Member

*J.R.*

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: March 22, 2013

*Allen Castrovillari*

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.