

CFASI Corporation
v.
Town of Marlborough

Docket No. 3254-86

DECISION

A hearing in this appeal was held, as scheduled, on December 16, 1987. The Taxpayer was represented by Richard H. Boisvert, President and Roland E. Vollbehr, Clerk. The Town was represented by Dominic S. D'Antoni, Appraiser.

The Taxpayer appeals, pursuant to RSA 76:16-a, the assessments of \$62,900 (land, \$18,900; building, \$44,000) Map 16, Lot 4 and \$9,100, Map 16, Lot 2 placed on it's real estate located on East Main Street, for the 1986 tax year.

The subject properties consist of one lot of land of approximately 4.25 acres identified as Map 16, Lot 2 and a second lot of land of approximately .33 acres improved with a general purpose barn and identified as Map 16, Lot 4.

Neither party challenged the Department of Revenue Administration's assessment-sales ratio of 100 percent for the 1986 tax year for the Town of Marlborough. Based on that ratio the Taxpayer's assessments equates to a market value of \$72,000.

The Taxpayer argued the two parcels of land only have value used in conjunction and for mutual benefit with each other. The Taxpayer further

argued

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the subject parcel identified as Map 16, Lot 4 was essentially covered by the building improvement and therefore is really only useable in conjunction with the subject parcel identified as Map 16, Lot 2.

The Taxpayer also argued the building was overassessed and that a new stran building of the same size could be acquired for \$30,000. The Taxpayer also testified the structure was insured with a policy with riders for \$30,000.

The Town argued they viewed the subject properties as one parcel of land with a total area of 4.58 acres and a total useable area of 1.5 acres. The Town further argued that in the context of treating the subject properties as one parcel of land, the proper assessment would be land, \$28,000 and building, \$39,300 for a total assessment of \$67,300.

The Board's review appraiser concurred in his estimate of value for the subject property.

The Board rules the proper assessment for the subject parcels:

| | |
|----------|-----------------|
| Land | \$28,000 |
| Building | <u>\$39,300</u> |
| Total | \$67,300 |

If the taxes have been paid, the amount paid on the value in excess of \$67,300 is to be refunded with interest at six percent per annum from date of payment to date of refund.

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

Anne S. Richmond, Esq., Chairman

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—
George Twigg, III, Member

(Mr. Damour did not sit.)

Raymond J. Damour, Member

—
Peter J. Donahue, Member

Date: December 13, 1988

I certify that copies of the within Decision have this date been mailed, postage prepaid, to Richard Boisvert, President and General Manager of CFASI Corporation, taxpayer; and the Chairman, Selectmen of Marlborough.

—
Michele E. LeBrun, Clerk

Date: December 13, 1988

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