
BEFORE THE UTAH STATE TAX COMMISSION

UTAH RAILWAY COMPANY,

Petitioner,

CARBON COUNTY, DAVIS COUNTY, EMERY
COUNTY AND WEBER COUNTY,

Cross-Petitioners,

vs.

PROPERTY TAX DIVISION OF THE
UTAH STATE TAX COMMISSION,

Respondent.

ORDER OF APPROVAL

Appeal No. 22-1145

Account No: 11983462-006-PCA

Tax Type: Property Tax/Centrally Assessed

Tax Year: 2022

Judge: Marshall

STATEMENT OF THE CASE

This matter came before the Utah State Tax Commission on Petitioner's and Cross-Petitioners' appeal of the property tax assessment on the subject property. Petitioner, Cross-Petitioners and Respondent have agreed that an adjustment to Respondent's initial valuation from \$23,886,320 to \$22,425,390 for the 2022 tax year is necessary.

Each affected county had standing to object to the assessment of the subject property pursuant to Utah Code Ann. §59-2-1007, but elected not to do so.

ORDER

Based on the foregoing, the Utah State Tax Commission hereby finds the market value of the subject property for the tax year 2022 is \$22,425,390.

The Property Tax Division has calculated final adjustments to the values apportioned to each affected tax district resulting from this order. The attached copy of that information is made part of this order by this reference. County officials are to use the information provided to adjust their tax rolls in accordance with the revised assessment and to calculate refunds as appropriate.



Jan Marshall
Administrative Law Judge


Appeal No. 22-1145

BY ORDER OF THE COMMISSION:

DATED this **15** day of **December**, 2022.

EXCUSED

John L. Valentine
Commission Chair


Rebecca L. Rockwell
Commissioner




Michael J. Cragun
Commissioner


Jennifer N. Fresques
Commissioner

NOTICE: An order approving a stipulated agreement constitutes final agency action subject to judicial review pursuant to Utah Code Ann. §§59-1-601 and 63-46b-13 et.seq. Any action to enforce the agreement may be brought pursuant to Utah Code Ann. §63-46b-19.

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Attorneys for Property Tax Division of the Utah State Tax Commission

BEFORE THE UTAH STATE TAX COMMISSION

<p>UTAH RAILWAY COMPANY, Petitioner, vs. PROPERTY TAX DIVISION OF THE UTAH STATE TAX COMMISSION, Respondent.</p>	<p>STIPULATION Appeal No. 22-1145 Account No. 11983462-006-PCA Tax Type: Centrally Assessed Property</p>
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Utah Railway Company (“Utah Railway”), Weber County, Carbon County, Emery County, Davis County, and the Property Tax Division of the Utah State Tax Commission (“Division”) stipulate as follows:

1. This Stipulation is entered into by and between the Division, Utah Railway, and the Cross-Appealing Counties (Weber County, Carbon County, Emery County, and Davis County) concerning Utah Railway’s 2022 property tax appeal and the Counties’ 2022 cross appeals. Utah

Railway's property is also located in Salt Lake County and Utah County, but these counties did not file a cross appeal.

2. The parties recognize that the Commission will have to send an Order to Show Cause why this stipulated value should not be approved to affected, but not appearing Salt Lake County and Utah County.

3. The parties have discussed and considered their respective positions concerning the assessed value determined by the Division for the 2022 property tax year and recognize the considerable costs and risks inherent in the potential litigation of these matters.

4. The parties mutually desire to avoid these costs and risks and fully settle and resolve Utah Railway's appeal and the counties' cross appeals for the 2022 property tax year, without further litigation, in a fair, reasonable and economic fashion.

5. The parties agree to resolve and settle the above-captioned appeals by stipulating to the following Stipulated Taxable Value of Utah Railway's Utah property:

TAX YEAR	ORIGINAL ASSESSMENT	STIPULATED TAXABLE VALUE
2022	\$23,886,320	\$22,425,390

6. The impact of the proposed change to the assessed value is set forth in the County Breakout Report attached as Exhibit A.

7. The parties further stipulate that the Stipulated Taxable Value falls within a reasonable range of fair market for Utah Railway's taxable property under Utah law for the property tax year at issue.

8. Upon issuance of a Commission order approving this Stipulation, any counties that have signed the stipulation agree to use the apportionment in Exhibit A to revise their

assessment rolls and then timely issue tax bills based on any increase in taxable value or refund any taxes that may have been collected on taxable value in excess of the Stipulated Taxable Value.

9. The appraisal methods applied in this Stipulation pertain to the lien dates listed above only and the use of such methods cannot be used as evidence or as an admission against any party in another lien date or matter.

10. The parties understand that this Stipulation is subject to approval by the Utah State Tax Commission and shall become final and conclusive between the parties upon approval by the Tax Commission, as evidenced by a written order executed by the Tax Commissioners.

11. Should the Tax Commission decline to approve this Stipulation, it shall be null and void and shall not be admissible as evidence against any party in any future proceedings.

12. The parties further stipulate that Utah Railway's above-captioned Utah property tax appeals and the county's cross appeals shall be dismissed when the Tax Commission's order approving this Stipulation becomes final.

STIPULATED this 12th day of October, 2022 by:

UTAH RAILWAY COMPANY

/s/ Ashley N. Moore *with permission

Ashley N. Moore
Ryan, LLC
Representative for Utah Railway Company

PROPERTY TAX DIVISION

/s/ Joshua R. Nelson

Joshua R. Nelson
John C. McCarrey
Assistant Utah Attorneys General
Attorneys for Property Tax Division

CARBON AND EMERY COUNTIES

/s/ Thomas W. Peters *with permission
Thomas W. Peters
Peters | Scofield
Attorney for Carbon and Emery Counties

WEBER COUNTY

/s/ Courtlan Erickson *with permission
Courtlan Erickson
Weber County Attorney's Office
Attorney for Weber County

DAVIS COUNTY

/s/ J. Robert Tripp *with permission
Neal C. Geddes
Michael D. Kendall
J. Robert Tripp
Davis County Attorney's Office
Attorneys for Davis County



Utah State Tax Commission
Property Tax Division - Centrally Assessed
2022 Revised Notice of Valuation
County Breakout Report

Taxpayer: UTAH RAILWAY CO

Taxpayer Number: 11983462-006-PCA

Appeal Number: 22-1145 & 22-1145

Industry: Railroad

<u>County</u>	<u>Tax Area</u>	<u>Original Valuation</u>	<u>Revised Valuation</u>	<u>Change in Valuation</u>
Carbon				
	002-0000	\$609,229	\$571,963	-\$37,266
	008-0000	\$4,185,065	\$3,929,102	-\$255,963
	009-0000	\$2,885,641	\$2,709,150	-\$176,491
	Carbon County Total	\$7,679,935	\$7,210,215	-\$469,720
Davis				
	008-0000	\$62,392	\$58,576	-\$3,816
	013-0000	\$80,077	\$75,179	-\$4,898
	017-0000	\$46,181	\$43,356	-\$2,825
	034-0000	\$45,935	\$43,126	-\$2,809
	035-0000	\$44,216	\$41,512	-\$2,704
	039-0000	\$76,885	\$72,183	-\$4,702
	044-0000	\$45,690	\$42,896	-\$2,794
	057-0000	\$56,004	\$52,579	-\$3,425
	070-0000	\$27,268	\$25,601	-\$1,667
	077-0000	\$65,588	\$61,577	-\$4,011
	078-0000	\$35,619	\$33,441	-\$2,178
	081-0000	\$32,423	\$30,440	-\$1,983
	Davis County Total	\$618,278	\$580,466	-\$37,812
Emery				
	009-0000	\$255,848	\$240,200	-\$15,648
	Emery County Total	\$255,848	\$240,200	-\$15,648
Salt Lake				
	013-0000	\$223,194	\$209,542	-\$13,652
	014-0000	\$53,860	\$50,566	-\$3,294
	01N-0000	\$60,118	\$56,441	-\$3,677
	021-0000	\$177,086	\$166,255	-\$10,831
	030-0000	\$2,051,078	\$1,925,628	-\$125,450
	035-0000	\$110,813	\$104,037	-\$6,776
	036-0000	\$6,457	\$6,062	-\$395
	045-0000	\$102,920	\$96,626	-\$6,294
	051-0000	\$39,824	\$37,388	-\$2,436
	055-0000	\$172,562	\$162,008	-\$10,554
	056-0000	\$74,759	\$70,187	-\$4,572



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Salt Lake				
	14A-0000	\$40,284	\$37,820	-\$2,464
	14B-0000	\$2,700	\$2,535	-\$165
	15A-0000	\$11,618	\$10,907	-\$711
	21G-0000	\$65,844	\$61,818	-\$4,026
	21I-0000	\$4,078	\$3,828	-\$250
	35F-0000	\$6,387	\$5,997	-\$390
	36D-0000	\$4,927	\$4,626	-\$301
	36E-0000	\$8,495	\$7,975	-\$520
	39E-0000	\$30,214	\$28,366	-\$1,848
	55C-0000	\$89,420	\$83,951	-\$5,469
	ACE-0000	\$5,897	\$5,536	-\$361
	ACN-0000	\$78,128	\$73,350	-\$4,778
Salt Lake County Total		\$3,420,663	\$3,211,449	-\$209,214
Utah				
	010-0000	\$47,162	\$44,278	-\$2,884
	020-0002	\$77,376	\$72,644	-\$4,732
	025-0000	\$103,909	\$97,553	-\$6,356
	035-0001	\$51,586	\$48,431	-\$3,155
	060-0001	\$19,408	\$18,221	-\$1,187
	085-0000	\$34,393	\$32,289	-\$2,104
	090-0000	\$39,301	\$36,898	-\$2,403
	110-0000	\$6,535,721	\$6,135,981	-\$399,740
	125-0000	\$4,195,646	\$3,939,034	-\$256,612
	130-0000	\$159,786	\$150,014	-\$9,772
Utah County Total		\$11,264,288	\$10,575,343	-\$688,945
Weber				
	016-0000	\$55,513	\$52,118	-\$3,395
	017-0000	\$19,408	\$18,221	-\$1,187
	025-0000	\$199,250	\$187,063	-\$12,187
	053-0000	\$30,705	\$28,827	-\$1,878
	056-0000	\$189,146	\$177,577	-\$11,569
	057-0000	\$50,850	\$47,740	-\$3,110
	058-0000	\$102,436	\$96,171	-\$6,265
Weber County Total		\$647,308	\$607,717	-\$39,591



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Property Tax Division - Centrally Assessed
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Industry: Railroad

<u>County</u>	<u>Tax Area</u>	<u>Original Valuation</u>	<u>Revised Valuation</u>	<u>Change in Valuation</u>
TOTAL VALUE		\$23,886,320	\$22,425,390	-\$1,460,930

USTC – Appeal
Certificate of Mailing
Utah State Tax Commission

Utah Railway Company (Petitioner) vs Property Tax Division (Respondent)

22-1145

Utah Railway Company Emailed to: lauren.valerio@gwrr.com	Petitioner
Ashley Moore - Ryan, LLC Emailed to: ashley.moore@ryan.com	Representative
Property Tax Division Emailed to: utilitymail@utah.gov	Respondent
John McCarrey Emailed to: jmccarrey@agutah.gov	Attorney for Respondent
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Utah County Auditor Emailed to: burth@utahcounty.org	Affected County
Salt Lake County Auditor Emailed to: cwharding@slco.org	Affected County
Carbon County Auditor Emailed to: seth.marsing@carbon.utah.gov	Affected County / Petitioner
Davis County Auditor Emailed to: ckoch@daviscountyutah.gov	Affected County / Petitioner
Emery County Auditor Emailed to: clerk-auditor@emery.utah.gov	Affected County / Petitioner
Weber County Auditor Emailed to: rhatch@co.weber.ut.us	Affected County / Petitioner

**** CERTIFICATION ****

I certify on this date I mailed a copy of the foregoing document addressed to each of the above named parties.

December 15, 2022

Date



Signature