

**Board of Equalization Hearing  
August 24, 2010**

**Franchise and Income Tax Appeal of  
Brent and Viki Welling  
Case ID: 348029**



**-July 1991-**  
PURCHASED 216  
VIA SODERINI,  
APTOS, CA

**-April 1992-**  
MOVED INTO  
APTOS HOME

**Seascape Resort  
approved.  
Construction  
begins**

**BEGAN LOOKING  
FOR A NEW HOME  
  
COULD NOT  
AFFORD TO SELL  
APTOS**

**-December 15, 1995-**  
PURCHASED  
1119 ALTDORF TER.  
INCLINE VILLAGE, NV

**October 1,  
1996  
COMPLETED  
THE MOVE  
TO INCLINE  
VILLAGE**

1990

1991

1992

1993

1994

1995

1996

1997





## **- The Aptos house -**

- **House at 216 Via Soderini was purchased in July 1991**
- **Situated on the corner of Via Soderini and Sumner Avenue in Aptos, California**
- **Ideal quiet location on a dead-end street. Beautiful evening sunsets and bright stars at night.**
- **Panorama view of the ocean from the Monterey Peninsula to the lighthouse at Santa Cruz**
- **Because it was constructed in the mid 1970's it required extensive remodeling**
- **Moved in April 1992.**

# **Unfortunately . . .**

- **Only one year after we moved in to the Aptos house, Santa Cruz County and the California Coastal Commission approve the construction of a large resort on the bench land cliffs.**
- **Construction begins April 1993**



-----Sumner-----

Aptos house



Seascape Resort at completion

Parking lot  
lighting

Flashing and clanging railroad crossing lights



Our view of the Seascape Resort

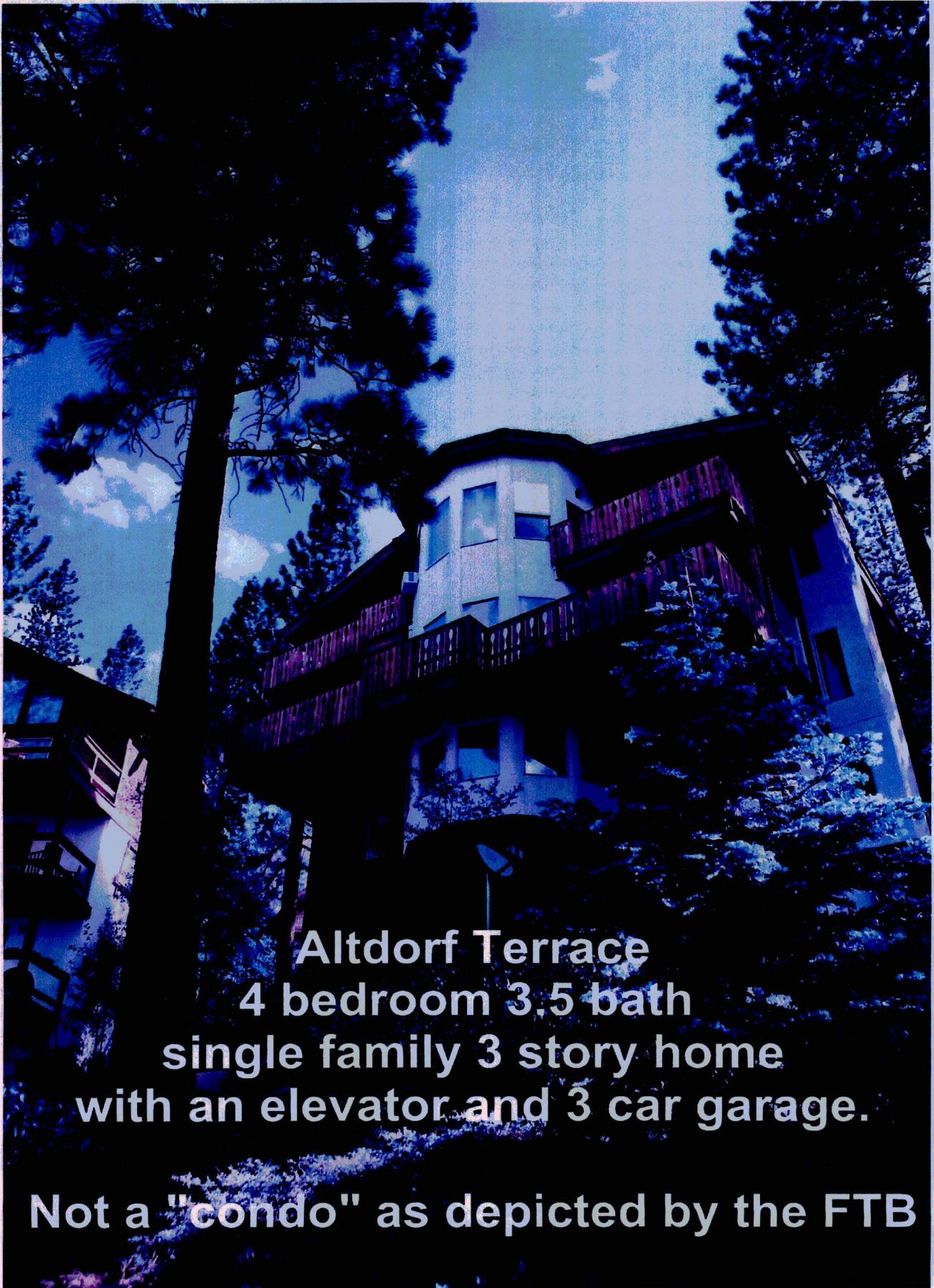
The view from our deck is now very ugly



our deck

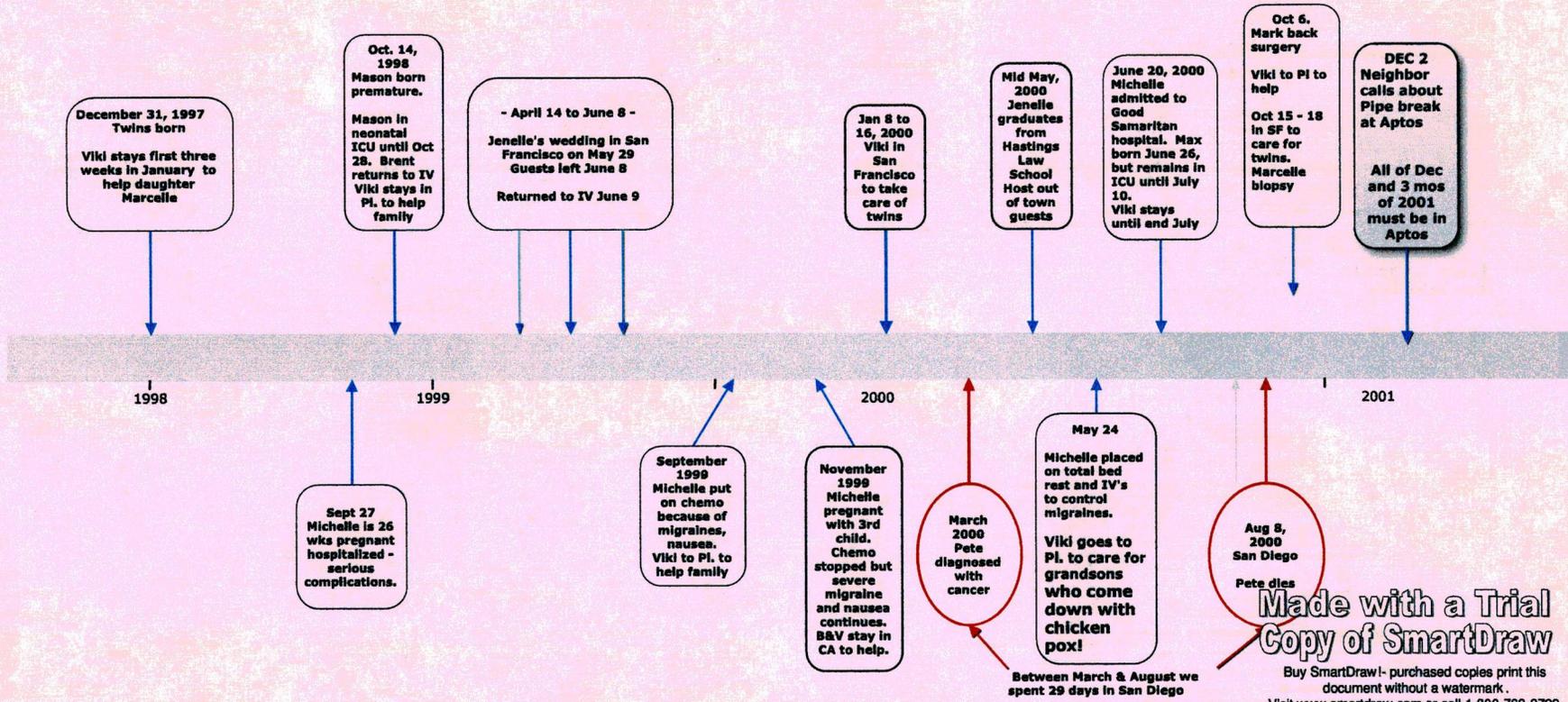
Via Soderini

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**Aldorf Terrace**  
**4 bedroom 3.5 bath**  
**single family 3 story home**  
**with an elevator and 3 car garage.**

**Not a "condo" as depicted by the FTB**



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OLD REPUBLIC TITLE

ORDER NO. 177435-2

The record beneficial interest under said Deed of Trust as a result of the last recorded assignment thereof is,

Vested In : Bankers Trust Company as Trustee  
By Assignment From : Residential Funding Corporation  
Dated : October 8th, 1991  
Recorded : March 30th, 1992 in Book 5002 of Official Records, Page 837

Returned to Address: Residential Funding Corporation, Attn: Collateral Control Dept., 8400 Normandale Lake Boulevard, Suite 600, Minneapolis, MN 55437

10. The effect of a Declaration of Homestead by Brent C. Welling & Viki L. Welling, dated January 7th, 1992, recorded February 5th, 1992 in Book 4970 of Official Records, Page 53

11. The requirement that a Certification of Trustee be furnished in accordance with Probate Code Section 18100.5.

----- Informational Notes -----

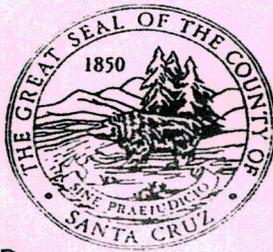
Taxes, general and Special, for the fiscal year 1993 - 1994 as follows:

Assessor's Parcel No.	: 054-141-07	
Code No.	: 69063	
1st Installment	: \$ 3,516.19	Marked Paid
2nd Installment	: \$ 3,516.19	Marked Paid
Land	: \$ 306,000.00	
Imp. Value	: \$ 347,361.00	
P.P. Value	: \$ 0.00	
Exemption	: \$ 7,000.00	Homeowners

NOTE: According to the public records, there have been no deeds conveying the property described in this report recorded within a period of two years prior to the date hereof except as follows:

NONE  
\*\*\*\*

CLERK OF THE  
BOARD OF SUPERVISORS



# COUNTY OF SANTA CRUZ

ASSESSMENT APPEALS BOARD

701 OCEAN STREET, ROOM 500  
SANTA CRUZ, CALIFORNIA 95060  
(408) 454-2326 FAX: (408) 454-2327  
January 11, 1999

Brent c. Welling  
PO Box 321  
Aptos, CA 95003

RE: APPLICATION 48-98 PARCEL/ACCOUNT NO. 054-141-07

Dear Applicant:

Your hearing before the Assessment Appeals Board on January 11, 1999  
resulted in an adjustment of the values on the above referenced parcel as follows:

**PRIOR VALUE**

and \$309,000 Improvements \$350,766 **Total** \$659,766

**ADJUSTED TO**

Land \$200,000 Improvements \$300,000 **Total** \$500,000

These new values will be forwarded to the Auditor-Controller for the computation of corrected tax bills which you should receive in the next sixty to ninety days.

If you have any questions you may contact either the Clerk of the Assessment Appeals Board at 454-2326 or the County Assessor's Office at 454-2002.

Very truly yours,

ASSESSMENT APPEALS BOARD

  
Janie Guerra, Deputy Clerk

/JG

ASSESSOR'S OFFICE



COUNTY OF SANTA CRUZ

GOVERNMENTAL CENTER  
(831) 454-2002  
ROBERT C. PETERSEN  
ASSESSOR

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060  
TDD: (831) 454-2123  
FAX: (831) 454-2495

July 2, 1999

WELLING BRENT C & VIKI LEE TRUSTEES

P O BOX 4513  
INCLINE VILLAGE NV 89450

Re: APN 054-141-07

Dear Property Owner:

For the past few years this office has reduced several thousand assessments because of declining prices in the real estate market.

The State constitution was amended by Proposition 13 and requires that we determine your assessed value at the time you purchase your property or complete new construction and then increase this value each year by an inflation index. We call this inflation adjusted value the "indexed base year value". An amendment (Proposition 8) to the constitution requires that we assess property at the current market value whenever that value is lower than the Proposition 13 calculated value. This provides temporary relief to owners whose Proposition 13 calculated assessed value exceeds market value.

Whenever we provide such relief, the Assessor is obligated to annually review and increase assessed values as market values increase. There has been a dramatic increase in the sales prices of real estate in much of Santa Cruz County during the past year. Accordingly, we have increased assessments on thousands of properties that had been temporarily reduced. We have determined market value for your property to still be below the "indexed base year value", so we are still giving you a Proposition 8 reduction.

**Below are the values that my appraisers have determined for tax year 1999-2000:**

Indexed Base Year Value:	\$722,536 (Prop 13 based calculation)
<b>1999-2000 Reduced Assessed Value:</b>	<b><u>\$509,265</u> (taxes will be based on this value)</b>

**Difference (your Prop 8 mandated reduction): \$213,271**

(over)