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*Attorney for the United Effort Plan Trust*

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**IN THE THIRD JUDICIAL DISTRICT COURT  
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH**

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IN THE MATTER OF THE  
UNITED EFFORT PLAN TRUST,

(Dated November 9, 1942, Amended April 10, 1946, and Amended and Restated on November 3, 1998); and its TRUSTEES, including known trustees TRUMAN BARLOW, WARREN JEFFS, LEROY JEFFS, WINSTON BLACKMORE, JAMES ZITTING and WILLIAM E. JESSOP a/k/a WILLIAM E. TIMPSON and DOE TRUSTEES I THROUGH IX.

**NOTICE OF INTENT TO SELL  
PROPERTY (TENTH ROUND)**

Civil No. 053900848

Judge Richard D. McKelvie

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Pursuant to the Court's February 26, 2016 Order: (1) Transferring Additional Duties and Authority to the Board; and (2) Reducing Court Oversight ("Order"), the United Effort Plan Trust ("Trust") provides notice that the Trust's Board of Trustees ("Board") anticipates selling Trust property as specified below:

**I. EXPLANATION OF SALES**

The Board has considered a number of offers for the purchase of land from the Trust and has determined to sell five properties identified herein for cash as set forth more fully below. The

proposed sales are arm's length transactions freely negotiated between the purchasers and the Trust. The Board's determination as to each property has been made after considering multiple factors, including available information as to the value of the property.<sup>1</sup> The Board notes that, in some cases, the Board has determined to accept purchase offers which are in amounts lower than the amount of the County's assessed value of the property. The Board believes that such offers are acceptable and appropriate, after taking into consideration available information including the condition of the particular parcel of property, prior attempts to sell the property, and/or the prospects of other offers for the property. The Board believes that the sales proposed herein are in the best interest of the Trust, in that they will enable the Trust to obtain funding for the payment of debts and ongoing expenses, and will serve the needs of Trust beneficiaries and the Short Creek community.

## **II. PROPERTIES TO BE SOLD**

1. The Board proposes to sell to Jeff J Barlow vacant land which consists of approximately 1.01 acres located at 1175 N Canyon Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 12, LOT 6, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE.

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<sup>1</sup> In ascertaining the estimated value of a parcel of property, the Board considers the amount of prior offers for the property (if any), the appraised value of the property (where available), and/or the tax assessment valuation of the County for the property.

a. Valuation

Appraisal:	None
County Assessed Value:	\$1,500.00

b. Sales Price \$1,500.00

2. The Board proposes to sell to Gawynn Dutson property which consists of approximately 1.0 acres located at 720 N Central Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 7, LOT 15, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE, which property includes a residence.

a. Valuation

Appraisal:	None
County Assessed Value:	\$73,400.00 <sup>2</sup>

b. Sales Price \$73,400.00

3. The Board proposes to sell to El Cap Properties, LC property which consists of approximately 4.94 acres located at 1065 N Hildale Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 11, LOTS 13, 15 & 16, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE. Lots 13 & 15 include residential and commercial buildings. Lot 16 is vacant land.

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<sup>2</sup> Washington County reassessed the property's 2017 value on January 30, 2018 and determined the value of the property to be \$73,400. The reassessed value for 2017 is not reflected on the County's website.

a. Valuation

Appraisal:	None
County Assessed Value:	\$1,436,000.00

b. Sales Price \$679,803.66<sup>3</sup>

4. The Board proposes to sell to John Barlow property which consists of approximately 1.0 acres located at 1045 N Canyon Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 10, LOT 9, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE, which property includes a residence.

a. Valuation

Appraisal:	None
County Assessed Value:	\$269,100.00

b. Sales Price \$134,550.00<sup>4</sup>

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<sup>3</sup> The Board has determined that some residential properties, due to their extreme size, are not suited to meet the housing needs of single families. Accordingly, the Board has agreed to sell certain residences at large discounts for use as apartments and temporary housing. This sales price takes into account buyer's payment of past due taxes, remodel and improvement costs required to convert the buildings into residential apartments, and that buyer is leasing one third of the building on Lot 13 (approximately 13,000 square feet) back to the Trust for 99 years at a nominal price. The Trust has in turn sublet the property to a medical clinic.

<sup>4</sup> The Board has determined that this property, due to its extreme size, is not suited to meet the housing needs of single families. Accordingly, the Board has agreed to sell

5. The Board proposes to sell to Shane Stubbs vacant land which consists of approximately 1.01 acres located at 960 N Redwood Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 4, LOT 15, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER’S OFFICE.

a. Valuation

Appraisal:	None
County Assessed Value:	\$10,000.00

b. Sales Price \$7,500.00<sup>5</sup>

### III. PROCEDURE

Pursuant to the Order, this notice (“Notice”) will be filed with the Court and posted on the Trust website (www.ueptrust.com). Any interested person or party who elects to challenge the Board’s decision to sell any of the properties described in this Notice must, within ten calendar days of filing this Notice, file with the Court a written objection to the Notice and a request to submit (“Objection”).

Upon filing of an Objection, the Court will make a determination whether the Board’s decision as described in the Notice needs further judicial review, and if so, will notify the Board

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it at a discount as apartments and temporary housing. The sales price takes into account buyer’s payment of past due taxes, as well as remodel and improvement costs required to convert the house into residential apartments.

<sup>5</sup> The Board believes that Washington County’s tax assessment valuations are generally reliable with respect to improvements, but that they are less reliable with respect to vacant ground. Historically, the Trust has sold many vacant lots in Hildale and Colorado City at \$7,500 per acre.

within five calendar days of the filing of the Objection. In such case, the Board's decision will not be authorized until the Court makes a specific ruling.

However, the filing of an Objection will not stay the Trust from implementing the sales described in this Notice, unless the Court affirmatively determines that the Board's decision needs further judicial review and so notifies the Board within five calendar days of the filing of the Objection.

If no Objection is timely filed within ten calendar days after filing and publicizing the Notice in accordance with the Order, the Board's decision to sell becomes operative and may be implemented by the Trust in accordance with the Order.

DATED this 18<sup>th</sup> day of May, 2018.

JDIXON LAW, P.C.

/s/ Jason N. Dixon  
*Attorney for the United Effort Plan Trust*

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **NOTICE OF INTENT TO SELL PROPERTY (TENTH ROUND)** was served this 18<sup>th</sup> day of May, 2018 via the Court's Notice of Electronic Filing (NEF) system to the attorneys of record signed up for e-filing and via-email to the following:

Ronald Rohbock (attaenterprise@gmail.com)

/s/ Jason N. Dixon