

Jason N. Dixon (11884)  
JDIXON LAW, P.C.  
1155 N Canyon St.  
PO Box 842434  
Hildale, UT 84784  
Telephone: (435) 216-2084  
jason@jasondixonlaw.com

*Attorney for the United Effort Plan Trust*

---

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

---

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 (MOBILE HOME PARK)**

Civil No. 053900848

Judge Richard D. McKelvie

---

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. PROPERTY TO BE SOLD

The Board proposes to sell to Allen Zitting or assignee two contiguous parcels of property in Colorado City, Mohave County, Arizona. Parcel 1 consists of approximately 33.72 acres, located at the southeast corner of Township Avenue and Richard Street, and is described as Parcel No. 404-21-059, and as follows:

BEG AT A PT ON THE NORTH LINE OF SAID SEC 6 WHICH IS 1006.5' WEST OF THE NE COR; TH S871'; TH W915.75'; TH S205'; TH W717.75'; TH N1076' TO A PT ON THE NORTH LINE O SAID SEC 6; TH ELY TO POB EXCEPT RICHARD ST CONT 33.72AC M/L 404-21-036 (404-21-059 AND RICHARD ST),

which parcel includes multiple mobile homes<sup>1</sup>, five residences, and six commercial buildings.

Parcel 2 consists of approximately 3.0 acres, located near 130 W Edson Avenue, and is described as Parcel No. 404-21-012, and as follows:

T41N R6W SEC 6 BEG 44 RODS WEST & 13 RODS SOUTH OF THE NE COR OF SEC 6; TH SOUTH 28 RODS; TH WEST 17 RODS; TH NORTH 28 RODS; TH EAST 17 RODS TO THE POB. CONT 3 ACRES M/L,

which parcel includes additional mobile homes. Mohave County's current tax assessed value of Parcel 1 and Parcel 2 (collectively the "Property") is \$1,074,782. The anticipated Buyer will pay \$1,030,000, for the Property ("Sales Price"); \$600,000 in immediately available funds at closing; \$189,538 with accrued interest at 4% per annum due two years after closing; and \$240,462 due five years after closing.

<sup>1</sup> This mobile home park includes approximately 84 mobile homes. Although the mobile homes are personal property, not real property, they are being included in this sale. Actual ownership of record for most trailers is unclear and will likely require substantial legal work—at buyer's expense—to resolve. The UEP Trust is agreeing to cooperate in that legal process to the extent allowed by law.

The Trust anticipates selling the Property because it accrues unpaid property taxes and many, if not most, of the mobile homes are in serious disrepair and/or uninhabitable. The Sales Price is an arm's length, freely negotiated transaction. Although the Sales Price is below the tax assessed value, the Trust believes the price is fair considering the physical circumstances of the Property and lack of buyers willing and able to complete the project proposed by the Buyer.<sup>2</sup> The Trust understands that the Buyer anticipates remodeling and renting the mobile homes located on the Property. Additionally, the Buyer has agreed to reconvey to the Trust any of the five residences on the Property in the event the current occupants successfully petition the Board for ownership of those residences. The creation of additional housing will serve the immediate needs of Trust beneficiaries and the Short Creek community.

## **II. PROCEDURE**

Pursuant to the Order, this notice ("Notice") will be filed with the Court and posted on the Trust website ([www.ueptrust.com](http://www.ueptrust.com)). Any interested person or party who elects to challenge the Board's decision to sell the Property 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

<sup>2</sup> Consistent with their fiduciary duties under the Utah Trust Code, the common law, and the provisions of the Reformed Declaration of Trust, the Board has relied upon their life experiences, good judgment, and common sense to evaluate and ascertain the Sales Price of the Property.

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: June 2, 2017.

JDIXON LAW, P.C.

/s/ Jason N. Dixon  
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 (MOBILE HOME PARK)** was served June 2, 2017 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  
Jason N. Dixon