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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 (NINTH 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 10 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 Craig Bateman vacant land which consists of approximately 1.01 acres located at 980 N Pinion Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 4, LOT 16, 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

<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 the tax assessment valuation of the County for the property. The Board believes that the respective Counties' 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.

b. Sales Price **7,575.00**

2. The Board proposes to sell to Matthew Peine vacant land which consists of approximately 0.91 acres located at 680 N Elm Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 2, LOT 30, 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 **\$6,825.00**

3. The Board proposes to sell to Craig Chatwin property which consists of approximately 0.93 acres located at 640 N Homestead Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 1, LOT 30, 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:	\$62,200.00

b. Sales Price **\$59,175.00**

4. The Board proposes to sell to Arnold Richter vacant land with no access to water, which consists of approximately 2.03 acres located at 975 N Cottonwood Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 5, LOT 3, 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:	\$44,200.00

b. Sales Price **\$15,225.00**

5. The Board proposes to sell to Arnold Richter vacant land with no access to water, which consists of approximately 1.98 acres located at 925 N Cottonwood Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 5, LOT 4, 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:	\$43,100.00

b. Sales Price **\$14,850.50**

6. The Board proposes to sell to Dennis Dutson Sr. vacant land which consists of approximately 1.03 acres located at 880 N Elm Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 3, LOT 25, 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: \$10,100.00

b. Sales Price **\$7,725.00**

7. The Board proposes to sell to Ramona Barlow vacant land which consists of approximately 1.01 acres located at 945 N Pinion Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 4, LOT 11, 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 **\$7,575.00**

8. The Board proposes to sell to Russell Jessop vacant land which consists of approximately 0.84 acres located at 685 W Field Avenue, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 1, LOT 39, 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: \$66,200.00

b. Sales Price<sup>2</sup> **\$6,300.00**

9. The Board proposes to sell to Shem Stubbs property which consists of approximately 1.72 acres located at 985 W Utah Avenue, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 2, LOT 1, 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:	\$1,082,900.00

b. Sales Price<sup>3</sup> **\$541,450.00**

10. The Board proposes to sell to Randall James Barlow property which consists of approximately 2.58 acres located at 80 W Utah Avenue, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 7, LOT 1, 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
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<sup>2</sup> The County Assessed Value includes an uninhabitable structure that was demolished and cleared from the property at buyer's expense. Accordingly, this property is being sold as vacant land.

<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, contingent upon buyers first paying all past due taxes and making substantial, mutually agreed upon improvements to convert the properties.

County Assessed Value:	\$428,400.00
b. <u>Sales Price</u>	<b>\$214,200.00</b>

### **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 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 6<sup>th</sup> day of October, 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 (NINTH ROUND)** was served October 6, 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)

Nolan Barlow (nolanbarlow@gmail.com)

/s/ Jason N. Dixon  
Jason N. Dixon