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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 (SIXTEENTH ROUND)**

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. EXPLANATION OF SALES

The Board has considered a number of offers for the purchase of land from the Trust and has determined to sell 11 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.¹ 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 Aaron P. and Mariah LaCorti property which consists of approximately 1.07 acres located at 165 N Homestead Street, Colorado City, Mohave County, State of Arizona, and legally described as SHORT CREEK SUBDIVISION, LOT 3202, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MOHAVE COUNTY RECORDER'S OFFICE, which property includes a residence.

a. Valuation

Appraisal:

None

¹ 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. 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.

County Assessed Value:	\$149,203.00
b. <u>Sales Price</u>	\$74,601.00 ²

2. The Board proposes to sell to Davis Hammon vacant land which consists of approximately 0.98 acres located at 280 E Edson Avenue, Colorado City, Mohave County, State of Arizona, and legally described as SHORT CREEK SUBDIVISION, LOT 5802, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MOHAVE COUNTY RECORDER'S OFFICE.

a. <u>Valuation</u>	
Appraisal:	None
County Assessed Value:	\$8,163.00
b. <u>Sales Price</u>	\$7,350.00

3. The Board proposes to sell to Elaine and Alice Hammon³ property which consists of approximately 1.38 acres located 245 N Hammon Street, Colorado City, Mohave County, State of Arizona, and legally described as SHORT CREEK SUBDIVISION, LOT 2202, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MOHAVE COUNTY RECORDER'S OFFICE.

² 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 taxes, as well as remodel and improvement costs required to convert the building into a multi-family residence.

³ In the Trust's Notice of Intent to Sell Property (Fourteenth Round), Elaine and Alice Hammon were incorrectly listed as being approved for lot 2206. This filing corrects the lot number to 2202.

a. Valuation

Appraisal:	None
County Assessed Value:	\$11,576.00

b. Sales Price

\$10,350.00

4. The Board proposes to sell to David Stubbs vacant land which consists of approximately 155.96 acres located at Mohave Avenue and Redwood Street, Colorado City, Mohave County, State of Arizona, and legally described as:

Parcel "A" of Record of Survey Plat located in NW1/4 & NE1/4 Section 1, Township 41 North, Range 7 West, Gila and Salt River Meridian, prepared for United Effort Plan Trust, according to the official plat thereof on file and of record in the Mohave County Recorder's Office at Book 48, Pages 32 & 32A as Fee No. 2018062170, and more particularly described as follows:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 1; AND RUNNING THENCE S 89°48'03" E 2176.83 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1, TO A POINT ON THE RIGHT OF WAY OF TOWNSHIP AVENUE, AS SHOWN ON SHORT CREEK SUBDIVISION, RECORDED AND ON FILE AT MOHAVE COUNTY RECORDERS OFFICE, STATE OF ARIZONA, POINT ALSO BEING ON A 60.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS S 89°48'03" E ALONG SAID SECTION LINE; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING THREE (3) COURSES, (1) SOUTHEASTERLY 123.65 FEET ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 118°04'21", TO A POINT ON A 25.00 FOOT RADIUS REVERSE CURVE, (2) EASTERLY 12.25 FEET ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°04'21", AND (3) S 89°48'03" E 20.16 FEET, TO THE NORTHWEST CORNER OF LOT 11 OF SAID SHORT CREEK SUBDIVISION; THENCE S 0°00'48" W 399.56 FEET, TO AN ANGLE POINT IN THE WESTERLY LOT LINE OF LOT 9, OF SAID SHORT CREEK SUBDIVISION; THENCE ALONG SAID LOT 9 THE FOLLOWING TWO (2) COURSES, (1) S 40°34'41" E 38.50 FEET, AND (2) S 89°36'46" E 274.96 FEET, TO THE SOUTHEAST CORNER OF SAID LOT 9, POINT ALSO BEING ON THE WEST RIGHT OF WAY OF REDWOOD STREET, AS SHOWN ON SAID SHORT CREEK SUBDIVISION; THENCE S 0°00'48" W 2183.84 FEET ALONG SAID RIGHT OF WAY, TO A POINT ON THE SOUTH LINE OF THE SAID NORTHWEST QUARTER; THENCE S 89°42'08" W 2594.98 FEET ALONG SAID SOUTH LINE, TO THE WEST QUARTER CORNER OF SAID SECTION 1; THENCE N 0°01'36" W 2685.97 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 1, TO THE POINT OF BEGINNING.

a. Valuation

Appraisal:	None
County Assessed Value:	\$153,701.41 ⁴

⁴ Parcel "A" is a recently created child parcel of a much larger parent parcel. The Mohave County Assessor's Office has not had an opportunity to revalue the property and it is anticipated that any revaluation will take time. The County Assessed Value, therefore, represents the Trust's best estimate of assessed value based upon Parcel A's relation to the parent parcel.

b. Sales Price \$300,000.00

5. The Board proposes to sell to John and Linsey Humphries property which consists of approximately 0.94 acres located at 40 W Cherry Avenue, Colorado City, Mohave County, State of Arizona, and legally described as SHORT CREEK SUBDIVISION, LOT 10703, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MOHAVE COUNTY RECORDER'S OFFICE, which property includes a residence.

a. Valuation

Appraisal:	None
County Assessed Value:	\$106,695.00

b. Sales Price \$60,000.00⁵

6. The Board proposes to sell to Marion Barlow vacant land which consists of approximately 0.93 acres located at 225 W Mohave Avenue, Colorado City, Mohave County, State of Arizona, and legally described as SHORT CREEK SUBDIVISION, LOT 8601, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MOHAVE COUNTY RECORDER'S OFFICE.

a. Valuation

Appraisal:	None
County Assessed Value:	\$7,769.00

b. Sales Price \$6,975.00

⁵ 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 taxes, as well as remodel and improvement costs required to convert the building into a multi-family residence.

7. The Board proposes to sell to Paul Barlow vacant land which consists of approximately 0.95 acres located at 185 W Mohave Avenue, Colorado City, Mohave County, State of Arizona, and legally described as SHORT CREEK SUBDIVISION, LOT 8706, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MOHAVE COUNTY RECORDER'S OFFICE.

a. Valuation

Appraisal:	None
County Assessed Value:	\$7,903.00

b. Sales Price \$7,125.00

8. The Board proposes to sell to Richard Curtis Jessop vacant land which consists of approximately 1.01 acres located at 980 N Redwood Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 4, LOT 8, 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 \$7,575.00

9. The Board proposes to sell to Sterling Barlow property which consists of approximately 0.87 acres located at 285 W Black Avenue, Colorado City, Mohave County, State of Arizona, and legally described as SHORT CREEK SUBDIVISION, LOT 10006,

ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MOHAVE COUNTY RECORDER'S OFFICE, which property includes improvements.

a. Valuation

Appraisal:	None
County Assessed Value:	\$55,189.00

b. Sales Price \$30,000.00

10. The Board proposes to sell to Reuben Barlow and Karla Blackmore vacant land which consists of approximately 0.95 acres located at 285 E Garden Avenue, Colorado City, Mohave County, State of Arizona, and legally described as SHORT CREEK SUBDIVISION, LOT 7601, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MOHAVE COUNTY RECORDER'S OFFICE.

a. Valuation

Appraisal:	None
County Assessed Value:	\$7,944.00

b. Sales Price \$7,125.00

11. The Board proposes to sell to Matthew and Annie Barlow vacant land which consists of approximately 0.92 acres located at 260 E Johnson Avenue, Colorado City, Mohave County, State of Arizona, and legally described as SHORT CREEK SUBDIVISION, LOT 5903, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MOHAVE COUNTY RECORDER'S OFFICE.

a. Valuation

Appraisal:	None
County Assessed Value:	\$7,678.00

b. Sales Price

\$6,011.28

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 (10) 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 (5) 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 (5) calendar days of the filing of the Objection.

If no Objection is timely filed within ten (10) 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 12th day of March, 2019.

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 (SIXTEENTH ROUND)** was served this 12th day of March, 2019 via the Court's Notice of Electronic Filing (NEF) system to the attorneys of record signed up for e-filing.

/s/ Jason N. Dixon_____