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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 DISTRIBUTE
PROPERTY (TWELFTH 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 distributing Trust property as specified below:

I. EXPLANATION OF DISTRIBUTIONS

The Board has reviewed the Petitions for Benefits filed by certain petitioning members of the Trust's beneficiary class identified in Part II below ("Petitioners") and has personally met

with those Petitioners. Based thereon, the Board has determined that the Trust will transfer to the Petitioners identified below certain properties, including improvements, as more particularly set forth below. The decisions of the Board have been based upon the Board members' life experiences, good judgment, common sense, and in consideration of the factors listed in section 6.4 of the Reformed Declaration of Trust.

The proposed distribution to each Petitioner is conditioned upon the Petitioner's payment to the Trust of a specified sum ("Distribution Price"), which sum has been determined by the Board, taking into consideration the factors of the Reformed Declaration of Trust, the value of the land, the value of the improvements, and the amount of unpaid occupancy fees associated with the property, as set forth below. In addition, the Petitioner receiving any distribution hereunder shall pay any and all additional costs for closing the transaction and title insurance premiums.

II. PROPERTY TO BE DISTRIBUTED

1. The Board proposes to distribute to David Chatwin property which consists of approximately 0.98 acres located at 345 E Jessop Avenue, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 9, 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:	\$223,300.00

b. Distribution Price

Land:	\$6,403.32
Improvements:	\$95,985.00
<u>Unpaid Occupancy Fees:</u>	900.00
Total:	103,288.30

2. The Board proposes to distribute to Roy Allred property which consists of approximately 1.04 acres located at 1025 N Canyon Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 10, LOT 8, 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:	\$102,500.00

b. Distribution Price

Land:	\$6,795.36
Improvements:	\$64,750.00
<u>Unpaid Occupancy Fees:</u>	
Total:	\$71,645.36

3. The Board proposes to distribute to Winston Cooke property which consists of approximately 0.85 acres located at 765 N Homestead Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 1, LOT 11, 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:	\$67,600.00

b. Distribution Price

Land:	\$5,553.90
Improvements:	\$40,320.00
<u>Unpaid Occupancy Fees:</u>	0.00
Total:	\$45,873.90

4. The Board proposes to distribute to Chris and Casey Blackmore vacant land which consists of approximately 0.91 acres located at 665 N Juniper Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 2, LOT 32, 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 ¹

b. Distribution Price

Land:	\$5,945.94
Improvements:	\$0.00
<u>Unpaid Occupancy Fees:</u>	\$0.00
Total:	\$5,945.94

¹ 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.

5. The Board proposes to distribute 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
County Assessed Value:	\$428,400.00 ²

b. Distribution Price

Land:	\$16,857.70
Improvements:	\$209,200.00
<u>Unpaid Occupancy Fees:</u>	\$0.00
Total:	\$226,057.70

6. The Board proposes to distribute to Rachel Timpson and Tamara Barlow property which consists of approximately 0.96 acres located at 920 N Redwood Street, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 4, LOT 13, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER’S OFFICE, which property includes a residence.

c. Valuation

Appraisal:	None
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² This is the Washington County Assessor’s 2016 assessed value, which was the value of the property at the time the Board approved the distribution.

County Assessed Value: \$38,200.00³

d. Distribution Price

Land:	\$6,272.64
Improvements:	\$25,380.00
<u>Unpaid Occupancy Fees:</u>	\$0.00

Total: \$31,652.64

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 distribute any of the property 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 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 distribution described in this Notice, unless the Court affirmatively determines that the Board’s

³The Court previously approved the distribution of this property to these Trust participants. After approval, however, the participants successfully petitioned the Washington County Assessor for a lower valuation of the property based on its condition. This new distribution price is submitted for approval based upon the County’s revised property valuation.

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 distribute becomes operative and may be implemented by the Trust in accordance with the Order.

DATED this 18th 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 DISTRIBUTE PROPERTY (TWELFTH ROUND)** was served this 18th 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