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Attorneys for the United Effort Plan Trust

IN THE THIRD JUDICIAL DISTRICT COURT OF 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**

Civil No. 053900848

Judge: Richard D. McKelvie

Pursuant to the Order: (1) Transferring Additional Duties and Authority to the Board; and (2) Reducing Court Oversight dated February 26, 2016 (“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 17 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 a number of 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 to 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 interests of the Trust, in that they will enable to 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 Patrick Pipkin certain vacant land which consists of approximately 5.61 acres located at 550 N. Central, Colorado City, Mohave County, Arizona, which property is also described as Parcel No. 404-31-050, and as follows:

BLK 2-A PER ROADWAY DEDICATION PLAT NO 8 FOR COLORADO  
CITY AZ REC 6/26/90 FEE #90-42445 CONT 5.61 ACRES 404-31-017(404-31-  
050,051 & COOK AVE

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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. The Board believes that the 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 the price of \$7,500 per acre.

(a) Valuation

Appraisal:	None
County Assessed Value:	\$48,874

(b) Sales Price

\$42,000

2. The Board proposes to sell to Heritage Business Solutions certain property, including a commercial building, which consists of approximately 1.72 acres located at 65 N. Central, Colorado City, Mohave County, Arizona, which property is also described as Parcel No. 404-31-023, and as follows:

BEG 18.35 RODS (302.77') N OF THE SE COR OF SD SEC 31; TH W 25 RODS (412.5'); TH N12.80 RODS (211.20'); TH E25 RODS (412.5'); TH S12.80 RODS (211.20') TO THE POB EXCEPT THE E57.5' 404-31-014 SPLIT INTO (404-31-023 & ROAD)

(a) Valuation

Appraisal:	\$220,000
County Assessed Value:	\$419,865

(b) Sales Price

\$200,000

3. The Board proposes to sell to Jason and Jennifer Hayes certain property, including a ruined mobile home, which consists of approximately 0.413 acres located at 170 W. Field, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 6, LOT 22, 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: <sup>2</sup>	\$10,000

(b) Sales Price \$4,000

4. The Board proposes to sell to 3 SPEC LLC certain vacant land which consists of approximately 1.99 acres located at 1180 West Utah, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 4, LOT 31, 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:	\$43,300

(b) Sales Price \$18,000

5. The Board proposes to sell to Red Acorn Management certain vacant land which consists of approximately 1.99 acres located at 1120 West Utah, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 4, LOT 30, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE.

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<sup>2</sup> This property includes a ruined mobile home which has no value, and which will need to be removed from the property by the buyer. The present sales price is based upon the value of the vacant ground without the mobile home, and the County Assessed Value shown here is for the value of the land only.

(a) Valuation

Appraisal:	None
County Assessed Value:	\$43,300

(b) Sales Price

\$18,000

6. The Board proposes to sell to Willie Jessop<sup>3</sup> certain vacant land which consists of approximately 1.99 acres located at 985 North Memorial, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 11, LOT 11A, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE.

(a) Valuation

Appraisal:	\$11,000
County Assessed Value:	\$1,200

(b) Sales Price

\$11,000

7. The Board proposes to sell to Willie Jessop certain property which consists of approximately 0.9 acres located at 645 North Homestead, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 1, LOT 34, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE.

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<sup>3</sup> The Board's agreement to sell property to Willie Jessop (*see* ¶¶ 6, 7, 11, & 12 herein), is contingent upon the Trust's receipt of a reconveyance of certain property located in Hildale, Utah (in Short Creek Subdivision No. 14) which property contains a water tank, pursuant to the resolution of a dispute over the transfer of such property.

(a) Valuation

Appraisal:	None
County Assessed Value: <sup>4</sup>	\$10,000

(b) Sales Price \$7,000

8. The Board proposes to sell to Ranch Creek Holding LLC certain vacant land which consists of approximately 0.94 acres located at 665 North Richard, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 1, LOT 26, 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

(b) Sales Price \$7,050

9. The Board proposes to sell to Ranch Creek Holding LLC certain vacant land which consists of approximately 0.93 acres located at 620 North Homestead, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 1, LOT 29, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE.

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<sup>4</sup> This property previously included a building which has now been demolished. The present sales price is based upon the value of the vacant ground without the former improvement, and the County Assessed Value shown here is for the value of the land only.

(a) Valuation

Appraisal:	None
County Assessed Value:	\$10,000

(b) Sales Price \$6,975

10. The Board proposes to sell to Ranch Creek Holding LLC certain vacant land which consists of approximately 0.91 acres located at 685 North Willow, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 1, LOT 40, 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

(b) Sales Price \$6,825

11. The Board proposes to sell to Willie Jessop certain raw ground which consists of approximately 80 acres located approximately five miles northwest of Hildale, in Washington County, State of Utah, which property is also described as Parcel No. 1388-A, and as follows:

NE 1/4 NE 1/4 & Lot 6 Sec 31 T43S R11 W

(a) Valuation

Appraisal:	None
County Assessed Value:	\$48,000

(b) Sales Price \$24,000

12. The Board proposes to sell to Willie Jessop certain raw ground which consists of approximately 40 acres located approximately five miles northwest of Hildale, in Washington County, State of Utah, which property is also described as Parcel No. 1388-G, and as follows:

NW 1/4 NE 1/4 Sec 31 T43 S R11 W

(a) Valuation

Appraisal:	None
County Assessed Value:	\$30,000

(b) Sales Price \$12,000

13. The Board proposes to sell to Ben Jordan certain vacant land which consists of approximately 5.65 acres located at 1350 North Canyon, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 12, LOT 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE.

(a) Valuation

Appraisal:	\$28,000
County Assessed Value:	\$19,200

(b) Sales Price \$28,000

14. The Board proposes to sell to Jaysen Bateman certain vacant land which consists of approximately 1.01 acres located at 985 North Oak, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 3, LOT 42, 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

(b) Sales Price \$2,500

15. The Board proposes to sell to Ianthus Barlow certain property which consists of approximately 1.01 acres located at 925 North Oak, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 3, LOT 45, 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: <sup>5</sup>	\$10,000

(b) Sales Price \$7,000

16. The Board proposes to sell to Joseph Knudson certain property, including a mobile home, which consists of approximately 0.97 acres located at 760 North Hildale, Hildale, Washington County, State of Utah, and legally described as SHORT CREEK SUBDIVISION 8, LOT 15, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE.

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<sup>5</sup> This property previously included a building which has now been demolished. The present sales price is based upon the value of the vacant ground without the former improvement, and the County Assessed Value shown here is for the value of the land only.

(a) Valuation

Appraisal:	None
County Assessed Value:	\$22,800

(b) Sales Price

\$22,800

17. The Board proposes to sell to A & S Creative certain property, including a small building, which consists of approximately 0.34 acres located at 85 N. Central, Colorado City, Mohave County, Arizona, which property is also described as Parcel No. 404-31-022, and as follows:

BEG AT THE SE COR OF SD SEC 31; TH NLY 31.15' RODS (513 .98') ALNG THE E LINE OF SD SEC 31 TO TRUE POB; TH W25 RODS (412.5'); TH N2.47 ROD S(40.76'); TH E25 RODS (412 .5'); TH S2.47 RODS (40.76' ) TO THE TRUE POB EXCEPT THE E57.5'CONT 0.34AC 404-31-013 SPLIT INTO (404-31-022 & ROAD)

(a) Valuation

Appraisal:	\$25,000
County Assessed Value:	\$15,637

(b) Sales Price

\$21,000

### III. PROCEDURE

Pursuant to the Order, this notice (“Notice”) will be filed with the Court and posted on the UEP website ([www.ueptrust.com](http://www.ueptrust.com)).

Any interested person or Party who elects to challenge the Board’s decision to sell any of the properties as described in this Notice, shall, 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, within five calendar days of the filing of the Objection will notify the Board. 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 the 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 becomes operative and may be implemented by the Trust in accordance with the Order.

DATED this 31<sup>st</sup> day of August, 2016.

CALLISTER NEBEKER & McCULLOUGH

/s/ Zachary T. Shields  
Zachary T. Shields  
Attorneys 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** was served via ECF notification on the 31<sup>st</sup> day of August, 2016, and via email on the following:

Vincent J. Sottosanti ([vincent.sottosanti@agaz.gov](mailto:vincent.sottosanti@agaz.gov))

Ronald Rohbock ([attaenterprise@gmail.com](mailto:attaenterprise@gmail.com))

/s/ Zachary T. Shields