

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

IN RE:)	
)	Chapter 7
)	
CLARENCE LANE VANCE,)	
)	Case No. 97 B 50687
)	
Debtor.	·)	

MOTION TO EMPLOY AUCTIONEER

NOW COMES the Trustee, THOMAS J. LESTER, by his attorneys, HINSHAW & CULBERTSON, and moves the Court for entry of an Order approving the employment of Swan Hackmeister and Hack's Auction and Realty Service, Inc. as Auctioneers for the Estate and in support thereof states as follows:

1. On March 10, 1997, the Debtor above-named filed his petition for relief under Chapter 7 of the Bankruptcy Code.
2. Thomas J. Lester is the duly appointed and acting Chapter 7 Trustee of the above-captioned matter.
3. On or about February 24, 1999, Attorney Donahue filed an Adversary Complaint to Avoid a Fraudulent Transfer and return of property regarding transfer of the property located at 15858 Brick School Road, Pecatonica, Illinois (hereinafter "Subject Property") from the Debtor to his wife, Harriet P. Vance.
4. Swan Hackmeister has examined the Subject Property and appraised its value between \$475,000.00 and \$500,000.00, and has proposed dividing the Subject Property into three separate parcels in order to obtain the maximum price for the Subject Property.

5. The Trustee wishes to employ Swan Hackmeister and Hacks' Auction and Realty Service, Inc. to auction the Subject Property.

6. Swan Hackmeister and Hack's Auction and Realty Service, Inc. are experienced in matters of this nature and are well qualified to auction the Subject Property for the benefit of the Estate.

7. Swan Hackmeister and Hack's Auction and Realty Service, Inc. have offered to assist the Trustee in appraising, marketing and selling the Subject Property for a flat commission fee of 5.0%, plus costs of advertising and sale, estimated at \$1,000.00, and assessment of the security and personnel requirements, if necessary, to complete a sale by conducting an auction.

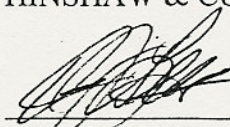
8. None of the employees associated with Swan Hackmeister and Hacks' Auction and Realty Service, Inc. have any connection with the Debtor, his creditors, or any other party in interest, their respective attorneys and accountants, the U.S. Trustee, or any person employed in the office of the U.S. Trustee concerning the matters for which they are to be employed.

WHEREFORE, the Trustee prays for the entry of an Order pursuant §327(a) of the Bankruptcy Code authorizing the employment of Swan Hackmeister and Hack's Auction and Realty Service, Inc. as Auctioneers for the Trustee, with compensation for the auctioneers actual and necessary expenses to be paid in accordance with the terms set forth in this Motion, subject to this Court's approval of the Report of Sale and Motion for Disbursement, and for such other and further relief as this court deems just.

DATE: 5/11/00

Respectfully submitted,
THOMAS J. LESTER, Trustee

BY: HINSHAW & CULBERTSON

BY: 
THOMAS J. LESTER
One of Its Attorneys

HINSHAW & CULBERTSON
P.O. Box 1389
Rockford, Illinois 61105
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**AFFIDAVIT OF PROPOSED
AUCTIONEER FOR TRUSTEE**

I, Swan Hackmeister, being first duly sworn, depose and state as follows:

1. That I am an auctioneer and liquidator employed by Hack's Auction and Realty Service, Inc., currently doing business at 417 Main Street, Pecatonica, Illinois, 610 3.
2. To the best of my knowledge, neither I nor Hack's Auction and Realty Service, Inc. have any connections with the Debtor, creditors, any party in interest, their respective attorneys and accountants, the United States Trustee, or any other person employed in the office of the United States Trustee with respect to this case.
3. Hack's Auction and Realty Service, Inc. is experienced in appraising, marketing and selling real estate in the Pecatonica area.

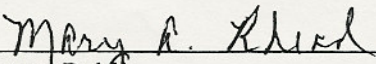
FURTHER AFFIANT SAYETH NOT.

Dated:

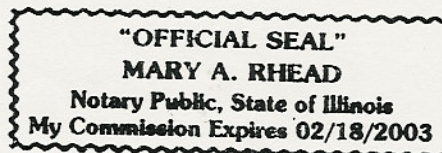


SWAN HACKMEISTER

Subscribed and sworn to before me
this 10 day of May, 2000



Notary Public



HINSHAW & CULBERTSON
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