

H. JAMES MAGNUSON  
Attorney at Law  
1250 Northwood Center Court  
P.O. Box 2288  
Cocur d'Alene, Idaho 83816  
Telephone: (208) 666-1596  
Fax: (208) 666-1700

2004  
JUN 29 AM 10:23  
CLERK OF DISTRICT COURT  
IDAHO

Attorney for C. Barry Zimmerman,  
Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

IN RE:

FRANK L. CHAPIN and  
SYDNEY L. GUTIERREZ-CHAPIN,

Debtors.

CASE NO. 02-20218

AFFIDAVIT OF H. JAMES  
MAGNUSON

STATE OF IDAHO                    )  
  :SS.  
County of Kootenai                )

H. JAMES MAGNUSON, being first duly sworn, deposes and says:

1. I am the attorney for C. Barry Zimmerman, Trustee, and make this affidavit based upon my personal knowledge and belief.
2. Among the assets of the Debtors' Estate is a parcel of real estate referred to as "Dunromin Property." The Trustee filed and served a Notice of Sale by Trustee and Notice of Hearing dated April 20, 2004, proposing the sale of the Dunromin Property by public auction with an opening bid of \$110,000 cash at closing. (Docket No. 238.) The Trustee conducted an auction. The high bid was submitted by Shanda L. Veatch with a bid of \$142,300. The Court entered an Order Approving Sale to Shanda L. Veatch dated May 25, 2004. (Docket No. 275.)
3. Shanda Veatch refused to close and forfeited her earnest money payment in the amount of \$1,000.

A back-up bid was submitted by William R. Podvin and Nadine L. Paulson. Podvin and Paulson gave an earnest money payment on the Dunromin Property for purchase at a price of \$126,700 cash at closing. The Trustee has accepted such bid subject to Court approval.

4. Entry of an Order Approving Sale is necessary as it is required by the title company to close the sale.

FURTHER AFFIANT SAYETH NOT.

DATED this 29 day of June, 2004.

  
H. JAMES MAGNUSON

SUBSCRIBED and SWORN to before me this 29th day of June, 2004.



  
Notary Public for Idaho  
Residing at: Coeur d'Alene  
Commission expires: 3/8/2010

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing was mailed by first-class prepaid mail on the 29 day of June, 2004, to:

Stephen B. McCrea  
P. O. Box 1501  
Cocur d'Alene, ID 83816-1501

Frank L. Chapin  
Sydney L. Gutierrez-Chapin  
319 Church Street  
Sandpoint, ID 83864

U. S. Trustee Office  
304 N. 8th Street, Room 347  
Boise, ID 83702

