

REDMOND & NAZAR, L.L.P.
245 North Waco, Suite 402
Wichita, Kansas 67202-1117
316-262-8361

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS**

IN RE:

J & J DEVELOPMENTS, INC.

Debtor-in-Possession

Case No. 12-11881

Chapter 11

FILED ELECTRONICALLY

APPLICATION BY DEBTOR TO EMPLOY REALTOR/AUCTIONEER

The application of the Debtor, J & J Developments, Inc., pursuant to 11 U.S.C. §327, respectfully represents:

1. The movant seeks to engage J.P. Weigand & Sons, Inc., 150 North Market, Wichita, Kansas 67202.
2. These professional services would include being employed as realtor/auctioneer, subject to the approval of the Court.
3. J.P. Weigand & Sons, Inc. has expertise as a realtor and auctioneer of real property.
4. The appointment of J.P. Weigand & Sons, Inc. to sell the property for the Debtor is not prohibited by law or any other legal impediment.
5. J.P. Weigand & Sons, Inc. shall receive a commission as more fully set forth on the attachment hereto.
6. No retainer or other prepaid compensation has been paid and that the compensation agreed to be paid shall be in the form of compensation as approved by the U.S. Bankruptcy Court.

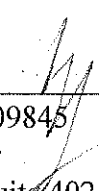
WHEREFORE, applicant prays that it be authorized to appoint J.P. Weigand & Sons, Inc. this case and that it have such other and further relief as is just and equitable.

In the United States Bankruptcy Court for the District of Kansas
IN RE: J & J Developments, Inc.
Bankruptcy Case No. 12-11881-11
Application By Debtor to Employ Realtor/Auctioneer

Page 2

RESPECTFULLY SUBMITTED:

REDMOND & NAZAR, L.L.P.

/s/Edward J. Nazar 

Edward J. Nazar, #09845
Attorney for Debtor
245 North Waco, Suite 402
Wichita, Kansas 67202
316-262-8361 / 316-263-0610 fax
ebn1@redmondnazar.com

AFFIDAVIT

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

I, Grant J. Tidemann, SIOR, CRE, of J.P. Weigand & Sons, Inc., of lawful age, being first duly sworn, state:

1. I am an agent of J.P. Weigand & Sons, Inc. mentioned in the foregoing Application.
2. Affiant is a disinterested party in this matter.
3. Affiant does not hold or represent an interest adverse to the estate.
4. Affiant has inquired to determine that he does not hold or represent an adverse interest to the estate and are disinterested.
5. Affiant does not have any connections with the Debtor, creditors, any party in interest, their respective attorneys and accountants, the U.S. Trustee, or any person employed in the office of the U.S. Trustee.
6. Affiant understands there is a continuing duty to disclose any adverse interest and change of disinterestedness.
7. Affiant understands that the Court's approval of the Application is not approval of any proposed terms of compensation and under §328(a) the Court may allow compensation on terms different from those proposed.
8. No agreement or understanding exists between Affiant or any other person for any division or sharing of compensation which is prohibited by statute.

FURTHER AFFIANT SAITH NOT.

J.P. WEIGAND & SONS, INC.

By: Grant J. Tidemann
Printed Name: Grant J. Tidemann
Federal Identification No. 48-0745627

SUBSCRIBED AND SWORN to before me this 21st day of October, 2012.



Michelle D. Chastain
Notary Public

My appointment expires: _____



The Standard for Excellence™

October 10, 2012

Mr. John Brown
Mr. Tom Kelley
J & J Developments, Inc.
3512 SW Fairlawn Road, Suite 400
Topeka, KS 66614

Mr. Ed Nazar
Redmond & Nazar, LLP
245 N. Waco, Suite 402
Wichita, KS 67202-1117

RE: J & J Developments, Inc.

Dear Gentlemen:

Thank you for providing us the opportunity to personally review your properties situated in various cities throughout Kansas and Oklahoma as well as meeting with us on Thursday of last week. We have had an opportunity to further review the properties after the comments provided in our meeting and have developed the following marketing plan for your review and consideration.

We believe your properties will sell most effectively while generating a maximum sales price and in an acceptable time frame by utilizing our proposed three methods of sale: Sealed Bid, Auction subject to Seller Confirmation, and Absolute Auction all of which are further described below.

SEALED BID

We believe the following properties should be sold utilizing the Sealed Bid process.

- | | |
|---|----------------------------|
| 1. 401 N. Commercial, Sedgwick | Value: \$150,000-\$200,000 |
| Sealed Bid process should raise current offer of \$160,000. | |
| 2. 104 N. Baltimore, Derby | Value: \$150,000-\$200,000 |
| 3. 2107 E. Kansas, McPherson | Value: \$400,000-\$500,000 |
| 4. 2605 SW 21 st Street, Topeka | Value: TBD |

The sealed bid process involves a proposed Sealed Bid Real Estate Purchase Contract being drafted with the proposed terms acceptable to the Seller and the Court. This Contract would then

J.P. Weigand & Sons, Inc. • 150 N. Market • Wichita, KS 67202 • Phone: 316-262-6400

Mr. John Brown
Mr. Tom Kelley
Mr. Ed Nazar
RE: J & J Developments, Inc.
October 10, 2012
Page 2 of 4

be provided to interested parties to submit their uniform offers for consideration by the Seller. A deadline would be set for offers to be received at a predetermined location for review by the Seller. The Seller would then select one offer for each location which is acceptable to the Seller or begin negotiations with one or more of the potential Buyers to reach a mutually acceptable agreement.

An example of a sealed bid package which J.P. Weigand & Sons, Inc. was involved in is enclosed herein for your reference. A similar package will be compiled for marketing your properties in the sealed bid process. We further propose a commission of six percent (6%) of the gross purchase price with one percent (1%) of the commission being paid to an outside cooperating broker.

We would further require a \$7,000.00 allowance for advertising these four properties to be paid upon execution of the formal Sales Agreement.

AUCTION SUBJECT TO SELLER CONFIRMATION

We believe the Auction Subject to Seller Confirmation method should be utilized for the sale of the following properties which provides for the Seller to accept or reject the high bid obtained at the auction. We would also like to make these properties subject to sale prior to the auction. In the event an acceptable offer is received prior to the scheduled auction, we would then be able to cancel the action on a particular property.

- | | |
|--|--|
| 1. 2929 W. HWY 50, Emporia | Value \$100,000 |
| 2. 2900 Eaglecrest, Emporia | Value \$200,000-\$250,000 |
| 3. 3830 SW 29 th Street, Topeka | Value \$350,000-\$500,000 |
| 4. 100 S. Meridian, Valley Center | Value: \$175,000-\$200,000 |
| Foreclosure on property/Deed in Lieu of Foreclosure prior to marketing | |
| 5. 224 S. 4 th , Burlington | Value: \$80,000-\$100,000 |
| 6. 845 N. Main, Benton (Car Wash) | Value: \$50,000-\$60,000 |
| 7. 1428 Church Street, Eudora (Car Wash) | Value: \$250,000-\$300,000 |
| 8. 3520 N. Woodlawn | Value: \$350,000-\$450,000 |
| Figure out Contract for Deed prior to marketing | |
| 9. 13601 S. HWY 75 West, Glenpool, OK: | Tony Aaronson, CB Richard Ellis/Oklahoma,
7912 E. 31 st Court, Suite 200, Tulsa, OK
918.392.7257 tony.aaronson@cbreok.com . |

We propose a commission of six percent (6%) of the gross purchase price with one percent (1%) of the commission being paid to an outside cooperating broker, or a \$2,000 minimum fee per property whichever is greater. We would further require a \$10,000 allowance for advertising these eight properties to be paid upon execution of the formal Auction Agreement.



Mr. John Brown
Mr. Tom Kelley
Mr. Ed Nazar
RE: J & J Developments, Inc.
October 10, 2012
Page 3 of 4

ABSOLUTE AUCTION

We propose the following properties be sold utilizing the Absolute Auction method which allows the property to be sold to the highest bidder without a reserve price. This method provides for the immediate disposition of a property.

- | | |
|---|------------|
| 1. 1400 N. Main, El Dorado | Value: TBD |
| 2. 1925 W. 21 st Street, Wichita -- Land Lease | Value: TBD |
| 3. 7115 W. 13 th , Wichita- Land Lease | Value: TBD |

We propose a commission of six percent (6%) of the gross purchase price with one percent (1%) of the commission being paid to an outside cooperating broker, or a \$2,000 minimum fee per property whichever is greater. We would further require a \$2,500 allowance for advertising these three properties.

OTHER PROPERTIES

It is our understanding the following properties are being handled directly by the Sellers and are therefore not included in the proposed sale methods provided above. In the event these two properties do not settle in accordance with Seller's wishes and would then require being included in one of the sale methods above, we would then re-evaluate these specific properties and provide our suggestion for successful disposition of the same.

1. 106 S. 42nd Street, Enid, OK
2. 2242 SW HWY 54, El Dorado, KS

OTHER BROKERS

The following properties have been omitted from the above sales methods as these properties will be handled by the brokers listed below with licenses in the respective states.

- | | |
|--|--|
| 1. 506 N. 1 st Street, Garland, TX: | H. Allen Gump, Colliers International,
4311 Oak Lawn Avenue, Ste. 400, Dallas, TX
75219 214.706.6027 allen.gump@colliers.com |
| 2. 901 HWY 282 SW, Mountainburg, AR: | James L. Taylor, Jimmie Taylor Realtors,
P.O. Box 3409, Fort Smith, AR 72913
479.782.8871 jimmy@jimmymtaylorrealtors.com |
| 3. 215 Gage Drive, Hollister, MO: | R.B. Murray Company,
1855-A S. National Avenue, Springfield, MO 65804
417.881.0600 |



Mr. John Brown
Mr. Tom Kelley
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RE: J & J Developments, Inc.
October 10, 2012
Page 4 of 4

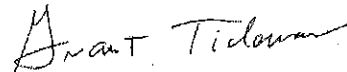
4. 3799 Ridgedale Road, Ridgedale, MO: R.B. Murray Company,
1855-A S. National Avenue, Springfield, MO 65804
417.881.0600
5. 300 Terrace Parkway, Branson, MO: R.B. Murray Company,
1855-A S. National Avenue, Springfield, MO 65804
417.881.0600

In the event the lending institution associated with each individual property bids in the sale and is the successful bidder, we propose a four percent (4%) real estate commission based upon the highest bid be payable by the Seller at closing.

Should you have any additional questions upon review of the information provided herein or wish to proceed with our marketing services to assist you in the successful disposition of your properties, please do not hesitate to contact us at (316) 262-6400. Thank you in advance for your attention and consideration in this matter, and we look forward to working with you in the near future.

Sincerely,

J.P. WEIGAND & SONS, INC.



Grant J. Tidemann, SIOR, CRE
Vice President



Bradley J. Tidemann, SIOR



Terry Rupp, ALC



John P. Rupp, ALC

GJT/mc

Attachment



Label Matrix for local noticing
1083-6
Case 12-11881
District of Kansas
Wichita
Tue Oct 30 14:03:46 CDT 2012

Commerce Bank, N.A.
c/o Thomas O'Neal
Polsinelli Shughart, P.C.
901 E. St. Louis Street
Suite 1200
Springfield, MO 65806-2511

First National Bank of Junction City
P.O. Box 348
Junction City, KS 66441-0348

Midland National Bank
527 N. Main St.
Newton, KS 67114-2256

US Attorney
301 N Main
1200 Epic Center
Wichita, KS 67202-4812

1-35 Investments LLC
3512 SW Fairlawn Road Suite 400
Topeka KS 66614-3981

Above All Books & Gifts LLP
Debb Dawkins
3632 SW Topeka Blyd
Topeka KS 66611-2373

Arvest Bank
119 E 3rd St
Ottawa KS 66067-2313

BDA Enterprises LLC
PO Box 21054
Wichita KS 67208-7054

Boes Enterprises Inc
215 Gage St Ste J
Hollister MO 65672-4000

Alliance Bank
3001 SW Wanamaker
Topeka, KS 66614-4430

CoreFirst Bank & Trust
3035 South Topeka Blvd.
Topeka, KS 66611-2122

Great Southern Bank
c/o Mark A. Fletcher
Lathrop & Gage LLP
P.O. Box 4288
Springfield, MO 65808-4288

Missouri Department of Revenue
Bankruptcy Unit
PO Box 475
301 W. High Street, Room 670
Jefferson City, MO 65105-0475

Wagner Enterprises, Inc.
P.O. Box 442169
Lawrence, KS 66044-2169

3 Bs
3512 SW Fairlawn Rd Ste 400
Topeka KS 66614-3981

American Express Bank FSB
co Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

Arvest Bank
co Matthew L Faul Esq
Lathrop & Gage LLP
2345 Grand Blvd Ste 2200
Kansas City MO 64108

Bank of the West
600 17th St Ste 1500
Denver CO 80202-5402

Brier Payne Meade Insurance
5835 SW 29th St Ste 101
Topeka KS 66614-5507

Bank of the West
co Jack C Marvin
1625 N Waterfront Parkway Suite 300
Wichita, KS 67206-6620

Dallas County
2323 Bryan Street
Suite 1600
Dallas, TX 75201-2637

J & J Developments Inc
3512 SW Fairlawn Road
Suite 400
Topeka, KS 66614-3981

Taney County Collector
132 David St.
PO Box 278
Forsyth, MO 65653-0278

Wichita Headquarter Office
167 US Courthouse
401 North Market
Wichita, KS 67202-2089

A & A Loans
PO Box 227
Ridgedale MO 65739-0227

American Strap Inc
14966 Industrial Park Dr
Lead Hill AR 72644-9317

B N Investments LLC
3512 SW Fairlawn Road Suite 400
Topeka KS 66614-3981

Bentley Investments of Nevada LLC
Gary Hall
1001 West 7th Street
Galena KS 66739

Bruce J Woner
Woner Glenn Reeder Girard PA
5611 SW Barrington Ct
Topeka KS 66614-2566

Bryan Smith
Attorney at Law
5950 SW 29th St Suite 200
Topeka KS 66614

Butler County Treasurer
205 W Central Ave
El Dorado KS 67042-2100

C2C Profits
3520 N Woodlawn
Wichita KS 67220-2204

Caddy Corner
401 N Commercial
Sedgwick KS 67135-9714

Capital City Bank
3710 SW Topeka Blvd
PO Box 1433-66601
Topeka KS

Capital City Bank
3710 SW Topeka Blvd
Topeka KS 66609-1281

Capital City Bank
PO Box 1433
Topeka KS 66601-1433

Centrue Bank
7700 Bonhomme Suite 300
Clayton MO 63105-0032

Cincinnati Insurance Co
co Thomas K McMackin
6200 South Gilmore Road
Fairfield OH 45014-5141

Citizens Bank & Trust
Attn Bankruptcy
PO Box 50
Chillicothe MO 64601-0050

Citizens Bank & Trust
co Terry Cupps
1551 N Waterfront Pkwy Ste 100
Wichita KS 67206-2244

City of Garland
Carol Clark RTA
PO Box 462010
Garland TX 75046-2010

Coffey County Treasurer
110 S 6th St Room 203
Burlington KS 66839

Commerce Bank
1345 E Battlefield
Springfield MO 65804-3603

CoreFirst Bank & Trust
co R Patrick Riordan
3500 SW Fairlawn Rd Ste 210
Topeka KS 66614

Croco Crossing Investments LLC
3512 SW Fairlawn Rd Ste 400
Topeka KS 66614-3981

Dallas County
co Elizabeth Weller
2323 Bryan Street Ste 1600
Dallas TX 75201

David Burns
Sizemore Burns & Gillmore PA
PO Box 546
Newton KS 67114-0546

Dawn Marley-Stueve
PO Box 3815
Topeka KS 66604-6815

Donna M Hall
1001 W 7th St
Galena KS 66739

Dorothy Thomas
3600 SW Stoneybrook
Topeka KS 66614-5120

Douglas County Treasurer
1100 Massachusetts St
1st Level
Lawrence KS 66044-3040

Douglas County Treasurer
PO Box 884
Lawrence KS 66044-0884

EZ Money
Attn Real Estate Dept
1901 Capitol Pkwy
Austin TX 78746-7613

Eldon L Gay
Gay Riordan PA
3500 SW Fairlawn Rd Ste 210
Topeka KS 66614-3979

Feel Good Nutrition
2841 SE Croco Rd
Topeka KS 66605-1814

First Community Bank of Crawford County
2925 Alma Hwy Suite A
Van Buren AR 72956

Garry M Gaskins II
Drummond Law PLLC
1500 South Utica Ste 400
Tulsa OK 74104-4925

Gary L Hall
1001 W 7th St
Galena KS 66739

Gary L Hall Revocable Trust
1001 W 7th St
Galena KS 66739

Grace Liquor
2617 SW 21st
Topeka KS 66604-3119

Great Southern Bank
2040 South Princeton St
Ottawa KS 66067-4010

Great Southern Bank
co Mark A Fletcher
Lathrop & Gage LLP
PO Box 4288
Springfield MO 65808-4288

Greg Dreschler
160 SE Munson Hill Rd
El Dorado KS 67042-8235

HR Block
Attn Marty Ryniewicz
1447 D State Hwy 248
Branson MO 65616-8161

Harvey County Kansas
co John D Waltner
Harvey County Administrator
PO Box 687
Newton KS 67114-0687

Harvey County Treasurer
800 N Main Street
Newton KS 67114-1807

Heritage Bank
co Justin Way
5611 SW Barrington Court South
PO Box 67689
Topeka KS 66667-0689

Hudson Crossing Investments LLC
3512 SW Fairlawn Road Suite 400
Topeka KS 66614-3981

I-70 Investments LLC
3512 SW Fairlawn Rd Ste 400
Topeka KS 66614-3981

InterBank
4921 North May Ave
Oklahoma City OK 73112-6041

Internal Revenue Service
PO Box 7346
Philadelphia PA 19101-7346

J & M Missouri
dba Wild Bills Truck Auto Plaza
3799 Ridgedale Rd
Ridgedale MO 65739

JJ Equities LLC
3512 SW Fairlawn Rd Ste 400
Topeka KS 66614-3981

JJ Leasing LLC
3512 SW Fairlawn Rd Ste 400
Topeka KS 66614-3981

Jack C Marvin
Stinson Morrison Hecker LLP
1625 N Waterfront Pkwy Ste 300
Wichita KS 67206-6620

Jane L Brown
5901 SW 33rd St
Topeka KS 66614-4524

Jasper County Collector
PO Box 421
Carthage MO 64836 0421

Jennings Station Crossing LLC
Attn Gary Hall
PO Box 217
Galena KS 66739-0217

John E Brown
5901 SW 33rd St
Topeka KS 66614-4524

John Hagerty
432 Uniqueville Lane
Lampe MO 65681-8303

Junction City First National
702 N Washington
Junction City KS 66441-2922

KS Republican Party
Brownback for Governor
2605 SW 21st St
Topeka KS 66604-3119

Kevin R Postier
Garfield County Treasurer
PO Box 489
Enid OK 73702-0489

Kwik Shop
PO Box 1927
Hutchinson KS 67504-1927

Kwik Shop
PO Box 1927
Hutchinson KS 67504-1927

Lai Lai Chinese Restaurant
215 Gage Drive
Suite ABC
Hollister MO 65672-5797

Larry Thompson
Results Fitness
2275 SW Romar Rd
Topeka KS 66614-6067

Lyon County Treasurer
430 Commercial
Emporia KS 66801-4013

MAA Durga LLC
104 N Baltimore
Derby KS 67037-1402

MAC Corporation
900 NW Hunter Drives Suite 2 South
Blue Springs MO 64015-7706

Marcus Gow
1925 W 21st St
Wichita KS 67203-2106

Mark G Stingley
Bryan Cave LLP
1200 Main St Ste 3500
Kansas City MO 64105-2139

Martin Gow
1925 W 21st St
Wichita KS 67203-2106

Marty Rivers
1943 S Water St
Salpula OK 74066-6532

Matthew L Faul
Lathrop Gage LLP
2345 Grand Blvd Ste 2200
Kansas City MO 64108-2618

McPherson County Treasurer
Attn John B Klenda and Brian L Bina
Grand Office Bldg
100 W Kansas Ave Ste 201
McPherson KS 67460

Midland National Bank
527 N Main St
Newton KS 67114

Missouri Department of Revenue
General Counsel
PO Box 475
Jefferson City MO 65105-0475

Northern Exposure
PO Box 1556
Branson MO 65615-1556

Notice Only
D Benham Kirk Jr PC
201 Robert S Kerr Suite 710
Oklahoma City OK 73102-4224

ONB Bank & Trust Company
co Garry M Gaskins II Drummond Law PLLC
1500 S Utica Ste 400
Tulsa OK 74104

ONB Bank and Trust Company
8908 S Yale Ste 100
Tulsa OK 74137-3501

Office of the County Counselor
Patricia J Parker 10413
525 N Main Suite 359
Wichita KS 67203-3790

PB Hoidale Co Inc
PO Box 12104
Wichita KS 67277-2104

Patriot Fuels
106 S 42nd St
Enid OK 73701-9421

Peoples Bank of the Ozarks
co James L Bowles
PO Box 2307
Nixa MO 65714

Plaza 21 Barbers
2609 SW 21st
Topeka KS 66604-3119

Pratham Inc
224 S 4th St
Burlington KS 66839-1912

R Patrick Riordan
Gay Riordan PA
3500 SW Fairlawn Rd Ste 210
Topeka KS 66614-3979

Robert M Pitkin
Levy and Craig
1301 Oak Street
Kansas City MO 64106-2913

Sedgwick County Treasurer
525 N Main Street
Wichita KS 67203-3734

Shawnee County Treasurer
200 SE 7th St Rm 101
Topeka KS 66603-3959

Southern Missouri Natural Gas Co
PO Box 847
Mountaingrove MO 65711-0847

State Line Road Hair Company
PO Box 114
Ridgedale MO 65739-0114

Sunshine Energy
2107 E Kansas
McPherson KS 67460-4007

Sunshine Energy
3830 SE 29th St
Topeka KS 66605

Sunshine Tan
2601B SW 21st Street
Topeka KS 66604-3118

Taney County Collector
PO Box 278
Forsyth MO 65653-0278

Thomas J O'Neal
Polsinelli Shughart PC
901 St Louis St Ste 1200
Springfield MO 65806-2511

Top Notch Enterprises
166 Ashford Dr
Hollister MO 65672-6122

Topeka Prosthetics Clinic
2106 SW Randolph
Topeka KS 66611-1500

Tri State Utility Inc
3512 SW Fairlawn Rd Ste 400
Topeka KS 66614-3981

Tri States Utility
302 Terrace Rd
Branson MO 65616-8909

Tri-Bees
1925 W 21st St N
Wichita KS 67203-2106

Tulsa County Treasurer
co Dennis Semler
500 S Denver
Tulsa OK 74103

U.S. Trustee
Office of the United States Trustee
301 North Main Suite 1150
Wichita, KS 67202-4811

Wagner Enterprises Inc
co Klenda Austerman LLC
Attn Eric W Lomas
301 N Main Ste 1600
Wichita KS 67202

Wholesale Petroleum Products Inc
1943 S Water St
Salpulpa OK 74066-6532

Woodlake Properties LLC
co Kermit M Milburn OBA
1507 North Shawnee
Shawnee OK 74804-4163

Zee Enterprises
7115 W 13th
Wichita KS 67212-1642

Bryan W Smith
Bryan W Smith Attorney At Law LLC
2300 SW 29th St
Suite 100
Topeka, KS 66611-1734

Edward J Nazar
245 North Waco
Ste 402
Wichita, KS 67202-1117

Nicholas R Grillot
Redmond & Nazar, LLP
245 N. Waco, Suite 402
Wichita, KS 67202-1117

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Citizens Bank & Trust Company

(u)Heritage Bank

(u)ONB Bank and Trust Company

(u)Peoples Bank of the Ozarks

(u)Westar Energy, Inc.

(d)Bank of the West
co Jack C Marvin
1625 N Waterfront Parkway Suite 300
Wichita KS 67206-6620

(d)Wagner Enterprises Inc
PO Box 442169
Lawrence KS 66044-2169

(u)David W Davis

End of Label Matrix
Mailable recipients 133
Bypassed recipients 8
Total 141