

*McCook County*  
**FARMLAND  
AUCTION**

**239.34  
Acres**

*Thursday*  
**OCTOBER 18th**  
*at 10:30 AM*

OWNER:

**JOHN C. KUYPER  
REVOCABLE TRUST**

**WIEMAN**  
LAND & AUCTION

44628 SD HWY, Marion SD

phone: 800-251-3111

web: [wiemanauction.com](http://wiemanauction.com)

fax: 605-648-3102

*"We Sell The Earth And Everything On It!"*

**239.34 ACRES GREENLAND TOWNSHIP McCOOK COUNTY LAND OFFERED IN 4-TRACTS  
GREAT NEW HOME/ACREAGE SITE – HIGHLY PRODUCTIVE FARMLAND – PASTURE  
ZONED FOR LAKE RESIDENTIAL DEVELOPMENT OVERLOOKING LAKE VERMILLION AT AUCTION**

In order to settle the Trust, we will offer the following land for sale at public auction in the Wieman Auction Facility located 1-mile south and ½ mile west of Marion, SD on Hwy. 44 on:

**THURSDAY OCTOBER 18<sup>TH</sup>**

**10:30 A.M.**

It is our pleasure to offer this unique tract of land that truly offers something for every type of land buyer. Powerful tillable land, rolling pasture hills, and an existing building site with established trees are just some of the attributes. The eastern portion of the property offers Lake Residential development with panoramic vistas of Lake Vermillion. Come check it out and let your mind imagine the possibilities!

**TRACT ONE: 17.75 ACRES IMPROVED**

**LEGAL:** Tract 1 of Kuyper Add. in the W ½ of the NW ¼ of Section 27, 102-53 McCook County, South Dakota. (Subject to survey approval) Known as 26008 451<sup>st</sup> Ave. Canistota, SD

**LOCATION:** From Lake Vermillion Rec. area go 1-mile north east side of the road or from I-90 & Montrose Exit go 3 ½ miles south east side of the road

- 17.75 acres with awesome trees, rural water, and 9-acres of pasture. Property has a 1947 3-bedroom home with 860 sq ft of living area main floor with 672 sq ft basement. Home is in need of major repair.
- Outbuilding list and description found in buyer's packet.
- Property is bordered to the west by a hard surfaced highway in close proximity to Lake Vermillion and a short commute to Sioux Falls.
- This property would make an excellent new home site or if your handy fix up the existing home. Come take a look!

**TRACT TWO: 62.26 ACRES**

**LEGAL:** Tract 2 of Kuyper Add. In the W ½ of the NW ¼ of Section 27, 102-53 McCook County, SD (subject to survey approval)

**LOCATION:** This tract is located directly south of Tract 1 or at the junction of 451<sup>st</sup> Ave and Fox Drive

- 59.80 acres of good tillable land with 2.46 acres in RROW. Bordered to the west by 451<sup>st</sup> Ave (oil road) and Fox Drive (gravel road) to the south.
- Soil production index of 77.1. Predominant soils Clarno-Ethan-Bonilla loams, Worthing silt loams, Crossplain silt loam.
- One building eligibility will transfer with this property. New buyer able to farm or lease out for the 2019 crop year.
- A great producing tract of land with good access and location. Base & Yield info and wetland maps and other pertinent info found in the buyer packet

**TRACT THREE: 80.01 ACRES COMBINATION OF TRACTS 1 AND 2**

- If sold as one unit, survey will not be recorded. Annual Real Estate Taxes are estimated at \$1,455.00. East boundary line has been staked out by surveyor.

**TRACT FOUR: 159.33 ACRES**

**LEGAL:** The W ½ of the NW ¼ and the E ½ of the NE ¼ of Section 27, 102-53 McCook County, SD.

**LOCATION:** From Tract 2 the property is located directly east or from the junction of 451<sup>st</sup> Ave. and Fox Drive, go ¼ mile east north side of the road.

- 76.93 acres tillable land, 76.03 acres in pasture balance in waterways and RROW.
- Soil production rating of 56.7. Predominant soils include Clarno-Ethan-Bonilla loams, Ethan-Betts 9-40% slopes, Crossplain clay loams and others.
- The East 80-acres of this parcel is zoned Lake Residential meaning that it is already permitted for 160-building eligibilities plus two more eligibilities on the west 80-acres.
- Investors or developers come take a look at this unique development opportunity. Rolling pasture hills allow for many lots to have walk-out basement potential along with a view of Lake Vermillion.
- Annual Real Estate Taxes are estimated at \$2,310/year. New buyer able to farm or lease out for the 2019 crop year and grazing season.
- FSA info, zoning requirements, and other pertinent info can be found in the buyers packet

**TO INSPECT THE PROPERTY:** We invite you to inspect the property at your convenience. If you would like to inspect the interior of the house contact the auctioneers at 800-251-3111 to set-up a private showing. Buyer's packets and drone video footage can be viewed at [www.wiமானuction.com](http://www.wiமானuction.com).

**TERMS:** Cash sale with 15% (non-refundable) down payment auction day with the balance on or before November 28, 2018. Trustees Deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Seller will pay all of the 2018 taxes in full. Buyer to receive landlord's possession at closing and full possession March 1, 2019. Remember auction held in the Wieman Auction Facility!

**JOHN C. KUYPER REVOCABLE TRUST – OWNER**

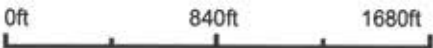
Wieman Land & Auction Co. Inc.  
Marion, SD 800-251-3111  
[www.wiமானuction.com](http://www.wiமானuction.com)

Dale Strasser  
Closing Attorney  
605-925-7745

# Aerial Map



map center: 43° 36' 30.69, -97° 10' 44.32



**27-102N-53W**  
**McCook County**  
**South Dakota**

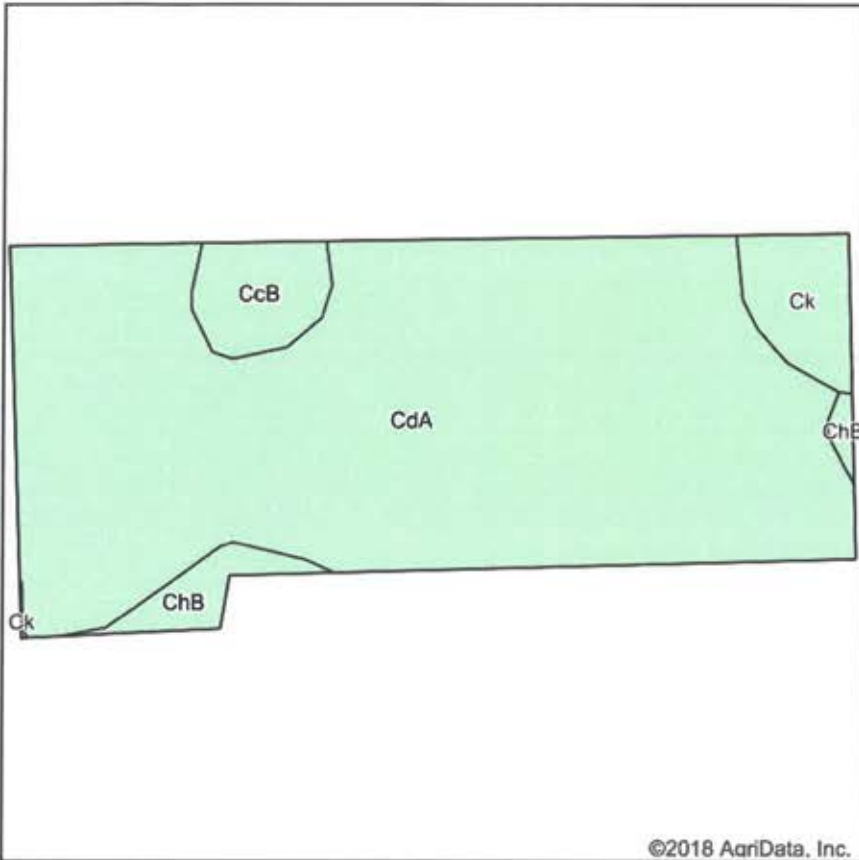


9/4/2018



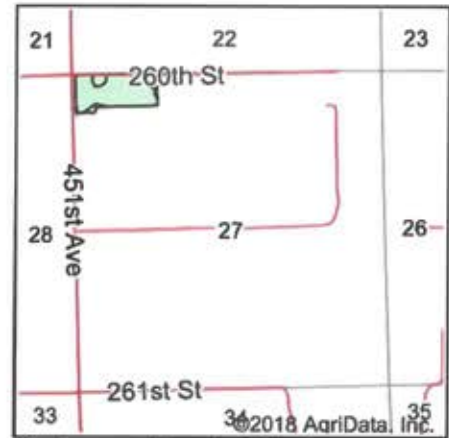
Field borders provided by Farm Service Agency as of 5/21/2008.

## Soils Map



©2018 AariData, Inc.

Soils data provided by USDA and NRCS.



State: **South Dakota**  
 County: **McCook**  
 Location: **27-102N-53W**  
 Township: **Greenland**  
 Acres: **17.75**  
 Date: **9/4/2018**



Maps Provided By:



**Area Symbol: SD087, Soil Area Version: 19**

Code	Soil Description	Acres	Percent of field	Non-Irr Class *c	Productivity Index	Alfalfa hay	Barley	Corn	Corn silage	Grain sorghum	Oats	Soybeans	Winter wheat	NCCPI Overall	NCCPI Corn	NCCPI Small Grains	NCCPI Soybeans
CdA	Clarno-Bonilla loams, 0 to 2 percent slopes	15.48	87.2%	IIc	88									66	50	45	66
Ck	Crossplain clay loam	0.87	4.9%	IIw	77	1.8	37	73	8.1	42	46	28	28	32	27	22	32
CcB	Clarno loam, 2 to 6 percent slopes	0.83	4.7%	IIe	82									65	49	44	65
ChB	Clarno-Ethan-Bonilla loams, 1 to 6 percent slopes	0.57	3.2%	IIe	78									65	49	42	65
<b>Weighted Average</b>					<b>86.9</b>	<b>0.1</b>	<b>1.8</b>	<b>3.6</b>	<b>0.4</b>	<b>2.1</b>	<b>2.3</b>	<b>1.4</b>	<b>1.4</b>	<b>64.3</b>	<b>48.8</b>	<b>43.7</b>	<b>64.3</b>

\*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

**JOHN C. KUYPER REVOCABLE TRUST  
TRACT ONE  
26008 451<sup>ST</sup> AVE  
CANISTOTA, SD 57012**

**ADDITIONAL INFORMATION**

**OUTBUILDINGS ON THE PROPERTY INCLUDE:**

GARAGE: 20 X 24 TWO STALL DETACHED BUILT IN 1956

BARN: 34 X 36 WITH 20' LEAN-TO BUILT IN 1890

GRAINERY: 18 X 24

HOG BARN: 24 X 30

CATTLE SHED/MACHINE SHED: 44 X 62

EQUIPMENT SHED: 28 X 48

BUILDING SITE HAS TM RURAL WATER AND IS SERVICED BY SOUTHEASTERN ELECTRIC COOP.

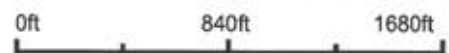


# Aerial Map

TRACT TWO  
62.26 ACRES



map center: 43° 36' 30.68, -97° 10' 44.32



27-102N-53W  
McCook County  
South Dakota

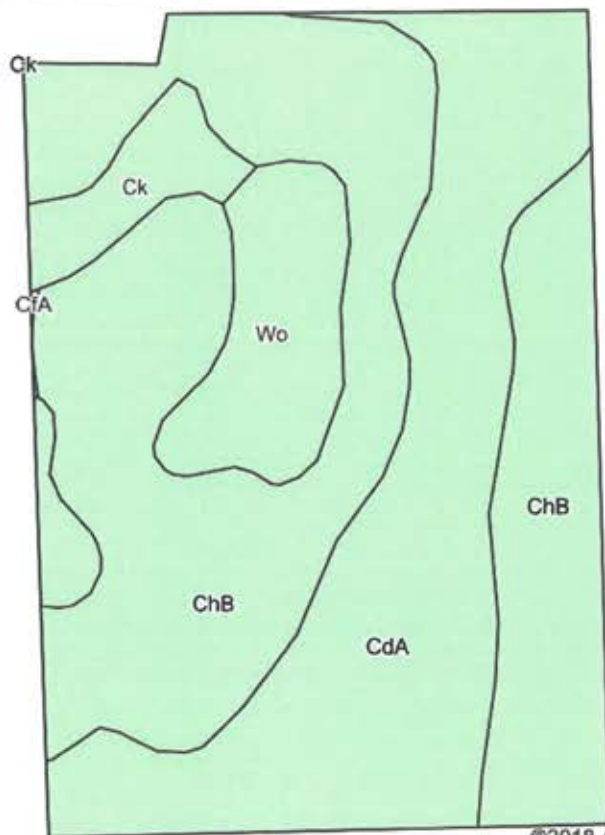


8/28/2018

Maps Provided By:  
**surety**  
CUSTOMIZED ONLINE MAPPING  
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Field borders provided by Farm Service Agency as of 5/21/2008.

# Soils Map



©2018 AgriData, Inc.

Soils data provided by USDA and NRCS.



State: **South Dakota**  
 County: **McCook**  
 Location: **27-102N-53W**  
 Township: **Greenland**  
 Acres: **62.26**  
 Date: **8/28/2018**



Maps Provided By:  
**surety**  
 CUSTOMERIZED ONLINE MAPPING SERVICE  
 © AgriData, Inc. 2018 www.AgriDataInc.com



**Area Symbol: SD087, Soil Area Version: 19**

Code	Soil Description	Acres	Percent of field	Non-Irr Class *c	Productivity Index	Alfalfa hay	Barley	Corn	Corn silage	Grain sorghum	Oats	Soybeans	Winter wheat	NCCPI Overall	NCCPI Corn	NCCPI Small Grains	NCCPI Soybeans
ChB	Clarno-Ethan-Bonilla loams, 1 to 6 percent slopes	32.99	53.0%	Ile	78									65	49	42	65
CdA	Clarno-Bonilla loams, 0 to 2 percent slopes	21.24	34.1%	Ilc	88									66	50	45	66
Wo	Worthing silty clay loam, 0 to 1 percent slopes	5.48	8.8%	Vw	30									4	2	4	2
Ck	Crossplain clay loam	2.55	4.1%	Ilw	77	1.8	37	73	8.1	42	46	28	28	32	27	22	32
<b>Weighted Average</b>					<b>77.1</b>	<b>0.1</b>	<b>1.5</b>	<b>3</b>	<b>0.3</b>	<b>1.7</b>	<b>1.9</b>	<b>1.1</b>	<b>1.1</b>	<b>58.6</b>	<b>44.3</b>	<b>38.9</b>	<b>58.4</b>

\*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.



# Aerial Map

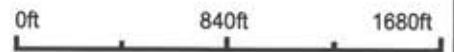
TRACT THREE  
80.01 ACRES



©2018 AgriData, Inc.



map center: 43° 36' 30.69, -97° 10' 44.32



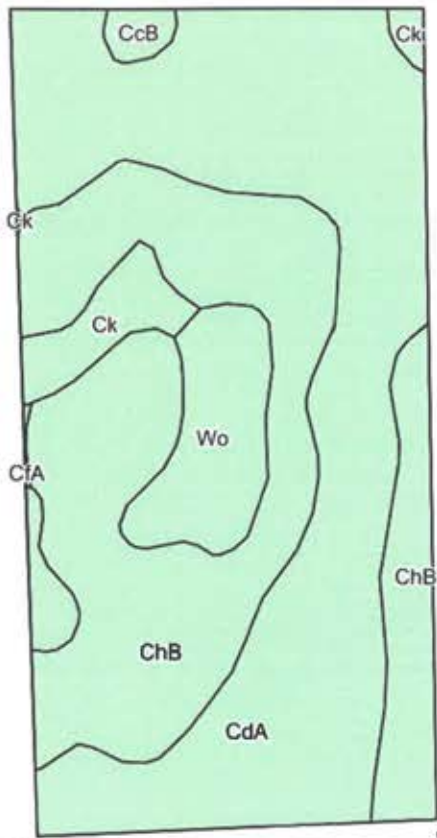
27-102N-53W  
McCook County  
South Dakota



9/4/2018

Field borders provided by Farm Service Agency as of 5/21/2008.

# Soils Map



©2018 AgriData, Inc.

Soils data provided by USDA and NRCS.



State: **South Dakota**  
 County: **McCook**  
 Location: **27-102N-53W**  
 Township: **Greenland**  
 Acres: **75.8**  
 Date: **9/4/2018**



Maps Provided By:



**Area Symbol: SD087, Soil Area Version: 19**

Code	Soil Description	Acres	Percent of field	Non-Irr Class *c	Productivity Index	Alfalfa hay	Barley	Corn	Corn silage	Grain sorghum	Oats	Soybeans	Winter wheat	NCCPI Overall	NCCPI Corn	NCCPI Small Grains	NCCPI Soybeans
CdA	Clarno-Bonilla loams, 0 to 2 percent slopes	36.23	47.8%	IIc	88									66	50	45	66
ChB	Clarno-Ethan-Bonilla loams, 1 to 6 percent slopes	30.31	40.0%	Ile	78									65	49	42	65
Wo	Worthing silty clay loam, 0 to 1 percent slopes	5.48	7.2%	Vw	30									4	2	4	2
Ck	Crossplain clay loam	2.98	3.9%	IIw	77	1.8	37	73	8.1	42	46	28	28	32	27	22	32
CcB	Clarno loam, 2 to 6 percent slopes	0.74	1.0%	Ile	82									65	49	44	65
CFA	Clarno-Crossplain-Davison complex, 0 to 2 percent slopes	0.06	0.1%	IIc	82									57	45	38	56
<b>Weighted Average</b>					<b>79.3</b>	<b>0.1</b>	<b>1.5</b>	<b>2.9</b>	<b>0.3</b>	<b>1.7</b>	<b>1.8</b>	<b>1.1</b>	<b>1.1</b>	<b>59.8</b>	<b>45.2</b>	<b>39.9</b>	<b>59.6</b>

\*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

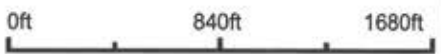
# Aerial Map

TRACT FOUR  
159.33 ACRES



©2018 AgriData, Inc.

map center: 43° 36' 30.68, -97° 10' 44.32



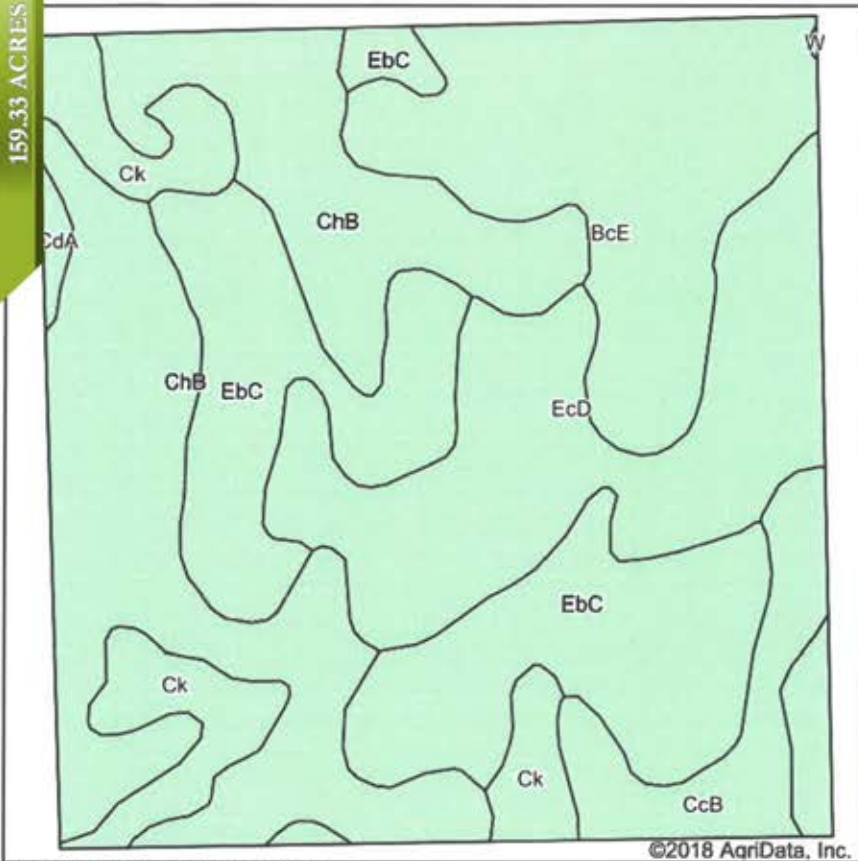
**27-102N-53W**  
**McCook County**  
**South Dakota**



8/28/2018

Field borders provided by Farm Service Agency as of 5/21/2008.

# Soils Map



State: **South Dakota**  
 County: **McCook**  
 Location: **27-102N-53W**  
 Township: **Greenland**  
 Acres: **157.33**  
 Date: **9/4/2018**



Soils data provided by USDA and NRCS.

**Area Symbol: SD087, Soil Area Version: 19**

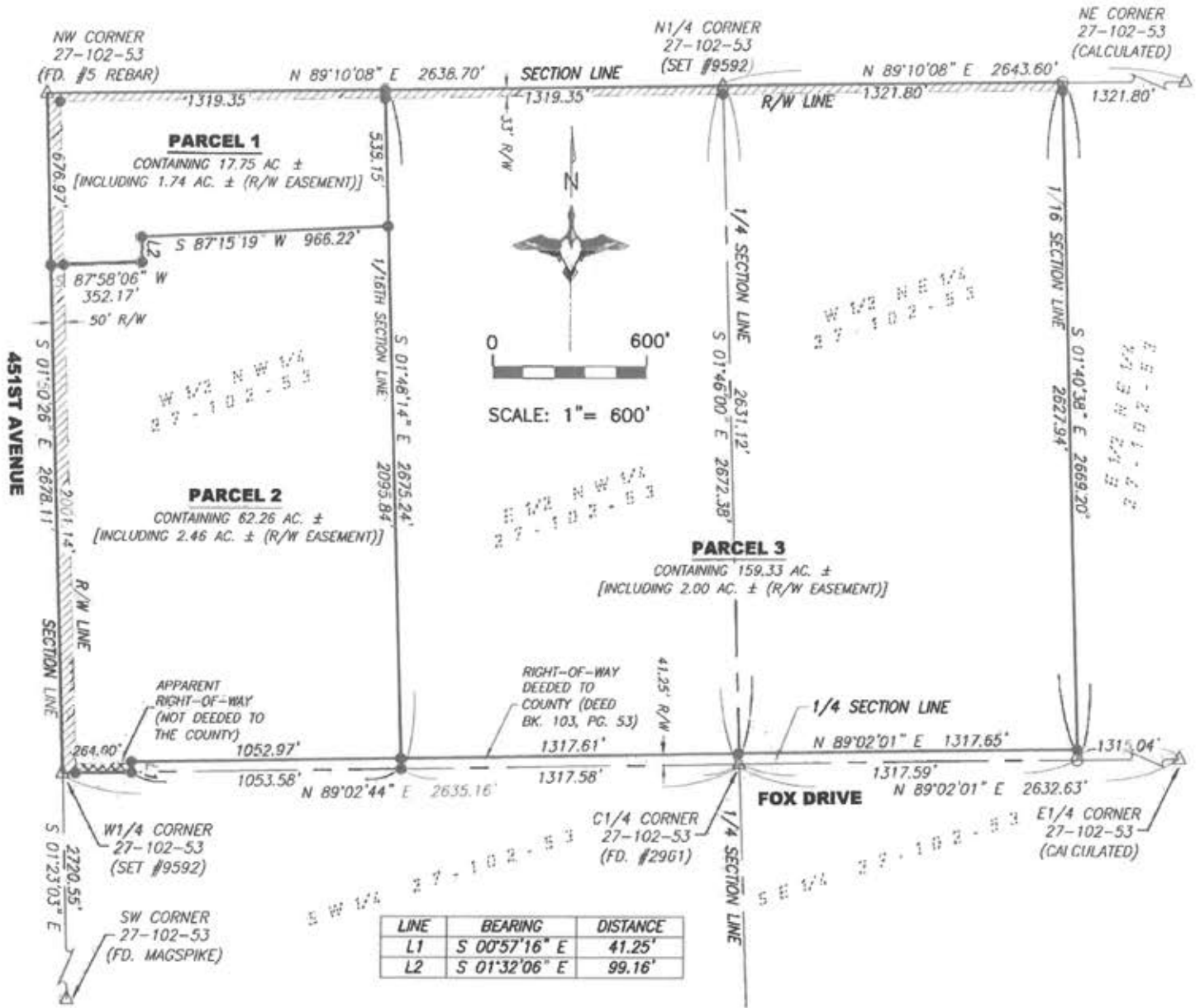
Code	Soil Description	Acres	Percent of field	Non-Irr Class *c	Productivity Index	Alfalfa hay	Barley	Corn	Corn silage	Grain sorghum	Oats	Soybeans	Winter wheat	NCCPI Overall	NCCPI Corn	NCCPI Small Grains	NCCPI Soybeans
ChB	Clarno-Ethan-Bonilla loams, 1 to 6 percent slopes	44.87	28.5%	Ile	78									65	49	42	65
EbC	Clarno-Ethan-Bonilla loams, 2 to 9 percent slopes	34.85	22.2%	IIle	69									64	48	41	64
BcE	Betts-Ethan loams, 15 to 40 percent slopes	28.14	17.9%	VIIle	18									10	10	8	8
EcD	Ethan-Betts loams, 9 to 15 percent slopes	27.86	17.7%	VIle	30									57	44	33	57
Ck	Crossplain clay loam	12.43	7.9%	IIw	77	1.8	37	73	8.1	42	46	28	28	32	27	22	32
CcB	Clarno loam, 2 to 6 percent slopes	8.39	5.3%	Ile	82									65	49	44	65
CdA	Clarno-Bonilla loams, 0 to 2 percent slopes	0.79	0.5%	Ilc	88									66	50	45	66
<b>Weighted Average</b>					<b>57</b>	<b>0.1</b>	<b>2.9</b>	<b>5.8</b>	<b>0.6</b>	<b>3.3</b>	<b>3.6</b>	<b>2.2</b>	<b>2.2</b>	<b>50.9</b>	<b>39.2</b>	<b>32.6</b>	<b>50.6</b>

\*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

# SALE DRAWING

IN THE NORTH HALF OF SECTION 27, TOWNSHIP 102 NORTH, RANGE 53 WEST OF  
THE 6TH PRINCIPAL MERIDIAN, MCCOOK COUNTY, SOUTH DAKOTA.



**OWNER: JOHN KUYPER**

**CLIENT: WIEMAN LAND AND AUCTION**

**LEGEND:**

- SET PROPERTY CORNER
- FOUND PROPERTY CORNER
- △ SECTION CORNER
- AC. ACRES
- R/W RIGHT-OF-WAY
- PREVIOUSLY PLATTED LINE
- - - RIGHT OF WAY LINE

**NOTES:**  
BASIS OF BEARINGS IS  
UTM-ZONE 14.  
PROJECT #18-477  
DRAWN BY: JEB

**TOTAL ACRES FOR PARCEL 1**

17.75 ACRES±  
[INCLUDING 1.74 AC.± OF R/W (EASEMENT)]

**TOTAL ACRES FOR PARCEL 2**

62.26 ACRES±  
[INCLUDING 2.46 AC.± OF R/W (EASEMENT)]

**TOTAL ACRES FOR PARCEL 3**

159.33 ACRES±  
[INCLUDING 2.00 AC.± OF R/W (EASEMENT)]

**PREPARED BY:**

**Midwest**  
**Land Surveying, Inc.**  
Land Surveying and GPS Consulting  
211 E. 14th Street Suite 100  
Sioux Falls, South Dakota 57104  
Phone: (605) 339-8901 FAX: (605) 274-8951

# SALE DRAWING

IN THE NORTH HALF OF SECTION 27, TOWNSHIP 102 NORTH, RANGE 53 WEST OF  
THE 5TH PRINCIPAL MERIDIAN, MCCOOK COUNTY, SOUTH DAKOTA.



**OWNER: JOHN KUYPER**  
**CLIENT: WIEMAN LAND AND AUCTION**

**TOTAL ACRES FOR PARCEL 1**

---

17.75 ACRES±  
[INCLUDING 1.74 AC.± OF R/W (EASEMENT)]

**TOTAL ACRES FOR PARCEL 2**

---

62.26 ACRES±  
[INCLUDING 2.46 AC.± OF R/W (EASEMENT)]

**TOTAL ACRES FOR PARCEL 3**

---

159.33 ACRES±  
[INCLUDING 2.00 AC.± OF R/W (EASEMENT)]

**LEGEND:**

- SET PROPERTY CORNER
- FOUND PROPERTY CORNER
- △ SECTION CORNER
- AC. ACRES
- R/W RIGHT-OF-WAY
- PREVIOUSLY PLATTED LINE
- - - RIGHT OF WAY LINE

**NOTES:**  
BASIS OF BEARINGS IS  
UTM-ZONE 14.  
PROJECT #18-477  
DRAWN BY: JEB

**PREPARED BY:**

**Midwest**  
**Land Surveying, Inc.**

Land Surveying and GPS Consulting  
211 E. 14th Street Suite 100  
Sioux Falls, South Dakota 57104  
Phone: (605) 339-8901 FAX: (605) 274-8951



**Common Land Unit**

- Non-Cropland
- Cropland
- Tract Boundary
- PLSS

**Wetland Determination Identifiers**

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

2018 Program Year

Map Created May 15, 2018

Farm 474

27 -102N -53W

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

# Certified Wetland Determination

Salem FO  
 C. Wenzlaff  
 Desc: NW 1/4 27-102-53

Agency: USDA-NRCS  
 Certified Date: 10-25-2011  
 Tract: 903



**Legend**

Certified Wetland Determination Boundary

Wetlands

Wetlands

Ditch

NI

NNDitch

Tile



W Wetland

FW Farmed Wetland Drained or modified & cropped prior to 12-23-1985, but still meets wetland criteria

PC Prior Converted

NW Non Wetland

NI Not Inventoried Potential Waters of the US

See NRCS CPA-O26E for definitions and additional info.





SOUTH DAKOTA

MCCOOK

Form: FSA-156EZ

See Page 2 for non-discriminatory Statements.

United States Department of Agriculture  
Farm Service Agency

## Abbreviated 156 Farm Record

FARM : 474

Prepared : Jun 25, 2018

Crop Year : 2018

Operator Name : BARTMANN CATTLE LLC  
 Farms Associated with Operator : 46-087-235, 46-087-474, 46-087-1519, 46-087-2353, 46-087-6206, 46-087-7026, 46-087-7027, 46-087-7145  
 CRP Contract Number(s) : None  
 Recon ID : None

## Farm Land Data

Farmland	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane	Farm Status	Number Of Tracts
237.98	153.20	153.20	0.00	0.00	0.00	0.00	0.00	Active	1
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped		MPL	Acre Election	EWP	DCP Ag.Rel. Activity	Broken From Native Sod
0.00	0.00	153.20	0.00		0.00		0.00	0.00	0.00

## Crop Election Choice

ARC Individual	ARC County	Price Loss Coverage
None	CORN, SOYBN	None

## DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	CTAP Yield	PLC Yield	HIP
Corn	68.90	0.00	0	109	
Soybeans	41.50	0.00	0	42	
<b>TOTAL</b>	<b>110.40</b>	<b>0.00</b>			

## NOTES

Tract Number : 903

Description : L10 NW 27; WNE 27 102 53

FSA Physical Location : SOUTH DAKOTA/MCCOOK

ANSI Physical Location : SOUTH DAKOTA/MCCOOK

BIA Unit Range Number :

HEL Status : NHEL: No agricultural commodity planted on undetermined fields

Wetland Status : Tract contains a wetland or farmed wetland

WL Violations : None

Owners : JOHN C KUYPER REV TRUST

Other Producers : JOHN KUYPER REV. TRUST, JASON JOHN MCAREAVEY

Recon ID : None

## Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane
237.98	153.20	153.20	0.00	0.00	0.00	0.00	0.00
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	EWP	DCP Ag. Rel Activity	Broken From Native Sod
0.00	0.00	153.20	0.00	0.00	0.00	0.00	0.00

## DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	CTAP Yield	PLC Yield
Corn	68.90	0.00	0	109
Soybeans	41.50	0.00	0	42

## FIDELITY NATIONAL TITLE INSURANCE COMPANY

**Transaction Identification Data for reference only:**

Issuing Agent: McCook County Abstract & Title Insurance, Ltd.  
 Issuing Office: 401 N. Nebraska St., P.O. Box 506, Salem, SD 57058  
 ALTA® Universal ID:  
 Loan ID Number:  
 Commitment Number: UPDATED-TI-8244  
 Issuing Office File Number: TI-8244  
 Property Address: Not applicable for coverage,

**SCHEDULE A**

1. Commitment Date: August 29, 2018 at 07:00 AM
2. Policy to be issued:
  - (a) ALTA Own. Policy (06/17/06)  
 Proposed Insured: TO BE DETERMINED  
 Proposed Policy Amount: \$ 1,000.00
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
4. Title to the Fee Simple estate or interest in the Land is at the Commitment Date vested in:  
 JOHN C. KUYPER REVOCABLE TRUST DATED APRIL 24, 2001
5. The Land is described as follows:  
PARCEL I: THE WEST HALF OF THE NORTHEAST QUARTER (W1/2NE1/4) OF SECTION TWENTY SEVEN (27), TOWNSHIP ONE HUNDRED TWO (102) NORTH, RANGE FIFTY THREE (53), West of the 5th P.M., McCook County, South Dakota.

PARCEL II: THE NORTHWEST QUARTER (NW1/4) OF SECTION TWENTY SEVEN (27), TOWNSHIP ONE HUNDRED TWO (102) NORTH, RANGE FIFTY THREE (53), EXCEPT LAND DEEDED, 3.5 ACRES M/L, AS DESCRIBED IN BOOK 103 OF DEEDS, PAGE 53, West of the 5th P.M., McCook County, South Dakota.

Subject to easements, restrictions, and reservations of record, if any.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by FIDELITY NATIONAL TITLE INSURANCE COMPANY. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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AMERICAN  
LAND TITLE  
ASSOCIATION



(TI-8244.PFD/TI-8244/4)

## FIDELITY NATIONAL TITLE INSURANCE COMPANY

**SCHEDULE B, PART I**  
**Requirements**

All of the following Requirements must be met

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Requirements may be included as Special Exceptions on SCHEDULE B, PART II.
6. Marital status of any Grantor &/or Mortgagor must be stated on the documents to be insured by the policies (Ownership Deed and/or Mortgage). If married, spouses must sign documents.
7. Seller/Mortgagor Affidavit and/or Purchaser Affidavit (PROVIDED WITH THIS COMMITMENT) to be executed and returned to McCook County Abstract & Title.
8. WE WILL REQUIRE A "CERTIFICATE OF TRUST" BE FILED WITH THE NEW OWNERSHIP DEED.

**SCHEDULE B, PART II**  
**Exceptions**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.
2. General Exceptions:
  1. Rights or claim of parties in possession not shown by the public records.\*
  2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and physical inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.\*
  3. Easements, or claims of easements, not shown by the public records.\*

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by FIDELITY NATIONAL TITLE INSURANCE COMPANY. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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(TI-8244.PFD/TI-8244/3)

**SCHEDULE B**  
(Continued)

4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.\*
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.\*
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.\*
7. Any service, installation or connection charge for sewer, water or electricity.\*
8. Any right, title, or interest in any minerals, mineral rights, or related matters, including but not limited to oil, gas, coal, and other hydrocarbons.\*

\* Paragraphs 1, 2, 3, 4, 5, 6, 7 and 8 will not appear as printed exceptions on extended coverage policies except as to such parts thereof which may be typed as a Special Exception.

## Special Exceptions:

3. Any charges for municipal &/or rural services (i.e. water, sewer, correction of nuisance conditions, etc.) are the responsibility of the parties to this transaction. For information regarding the existence of any such bills, contact the appropriate municipal office.
4. Accrued taxes and assessments for the year 2018 and subsequent years, not yet due or delinquent.  
NOTE: 2017 Real Estate Taxes payable in 2018:  
Parcel #09.27.1004: \_\_\_\_\_ \$939.86 PAID IN FULL (PARCEL I.)  
Parcel #09.27.2000: \_\_\_\_\_ \$3,658.58 PAID IN FULL (PARCEL II.)
5. The land described in the Commitment/Policy does not insure amount of acres.
6. The land described in Commitment / Policy shall not be deemed to include any house trailer or mobile home standing on the premises, if applicable.
7. This preliminary & informational commitment provides no title insurance. Once a buyer and purchase amount is available, contact our office to update and issue an "official" commitment.
8. EASEMENT executed by Frank Steichen and Anna Steichen -to- State of South Dakota, by and through the Department of Game, Fish and Parks; dated April 26, 1957; FILED May 23, 1957 at 11:45 A.M., and recorded in Book 118 of Deeds, Page 455. (Affects PARCEL I.)
9. EASEMENT executed by Frank Steichen and Anna C. Steichen -to- McCook County, SD; dated April 10, 1959; FILED June 10, 1959 at 9:00 A.M., and recorded in Book 120 of Deeds, Page 362. (Affects PARCEL II.)
10. RIGHT OF WAY EASEMENT executed by John Kuyper -to- TM Rural Water District; dated December 2, 1983; FILED July 24, 1984 at 1:16 P.M., and recorded in Book 145 of Deeds, Page 469. (Affects PARCEL II.)
11. VESTED DRAINAGE RIGHT executed by John C. Kuyper -to- The Public; dated March 27, 1991; FILED April 25,

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**SCHEDULE B**  
(Continued)

- 1991 at 11:05 A.M., and recorded in Book 155 of Deeds, Pages 541-542. (Affects PARCEL II.)
12. RIGHT OF WAY EASEMENT executed by John Kuyper -to- TM Rural Water District, dated October 8, 1998; FILED October 21, 1998 at 12:02 P.M., and recorded in Book 172 of Deeds, Pages 600-601. (Affects PARCELS I & II.)
  13. RIGHT OF WAY EASEMENT executed by John C. Kuyper, Trustee of the John C. Kuyper Revocable Trust -to- Southeastern Electric Cooperative, a cooperative corporation; dated March 17, 2006; FILED April 3, 2006 at 9:45 A.M., and recorded in Book 181 of Deeds, Page 172. (Affects PARCEL II.)
  14. EASEMENT executed by Donnadell Wright, Patricia Waechter, and Joan Morrison, Co-Trustees of the John Kuyper Revocable Trust dated April 24, 2001 -to- Bartmann Brothers, a South Dakota Partnership; Dated August 22, 2018; FILED August 22, 2018 at 11:30 A.M., and recorded in Book 189 of Deeds, Page 61. (SEE ATTACHED COPY.) (Affects PARCEL I)
  15. Statutory Easement for highway along the section line (or lines) bounding (or within) the land herein described.

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(TI-8244.PFD/TI-8244/3)



Document Prepared By:  
Michael E. Unke, Attorney  
341 N. Main Street, Box 529  
Salem, South Dakota 57058  
Telephone: 605-425-3131

OFFICE OF REGISTER OF DEEDS #18-1509  
STATE OF SOUTH DAKOTA, County of McCook, as  
Filed for record this 22 day of August  
20 18 at 11:30 o'clock A. M. and Recorded  
In Book 189 of Deeds on Page 61  
Laurie A. Schwane Register of Deeds  
Beverly A. Bartling Deputy  
Fee: 30.00 Pd

**EASEMENT**

**THIS EASEMENT** made and entered into this 22nd day of August, 2018, by and between Donnadell Wright of 2908 E. Rice Street, Sioux Falls, South Dakota 57103, Patricia Waechter of 408 W. Kluckholm Street, Montrose, South Dakota 57048, and Joan Morrison of 1313 N. Elmwood Avenue, Sioux Falls, South Dakota 57104, co-trustees of The John Kuyper Revocable Trust dated April 24, 2001, hereinafter referred to as "Grantors" and Bartmann Brothers, a South Dakota Partnership, of 25881 451<sup>st</sup> Avenue, Montrose, South Dakota 57048, hereinafter referred to as "Grantees", as follows:

**WITNESSETH**, that, for and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors, and for and on behalf of their heirs, administrators, executors, successors and assigns and for and on behalf of anyone claiming by, through or under Grantors, hereby grant unto the Grantees and their heirs, administrators, executors, successors and assigns, a non-exclusive, perpetual easement in, on, over, upon, across, under and through the following described property:

The West One Half of the Northeast Quarter (W1/2NE1/4) of Section Twenty-Seven (27), Township One Hundred Two (102) North, Range Fifty-Three (53) West, McCook County, South Dakota

The rights, benefits, privileges, and easements granted herein are for the purpose of ingress and egress over and across the above described legal description and the right to construct, maintain, replace, repair, operate, relocate or remove the 885 feet of drain tile that Grantees installed on Grantors land from the fence to outlet now existing and an additional one hundred (100) feet running in the northeasterly direction for the drop of land for water flow required in the future to maintain the current drainage located on the Northeast Quarter of Section 27, Township 102 North, Range 53 West of the 5<sup>th</sup> P.M., McCook County, South Dakota.

Except for the rights, privileges, benefits and easements granted herein, Grantors reserve unto themselves all rights of ownership and use to the easement area not inconsistent herewith: provided that such uses shall not interfere with the proper operation, maintenance and repair of the drainage system and an additional 100 feet running in the northeasterly direction for the drop of land for water flow. In the event the Grantees need to perform work on the drainage system, Grantees shall reimburse the owner of the property described herein for any crop loss or damage to the land and shall return the land to the condition it was in immediately prior to performing work on the drainage system.

The easement granted herein shall run with and bind the land, benefiting the Grantees' property, and burdening the Grantors' property of which the Easement Area is a part.

**TO HAVE AND TO HOLD** said easement unto Grantees and their successors and assigns.

**IN WITNESS WHEREOF**, the Grantors and Grantees have signed, sealed and delivered this instrument this day and year first set forth above.

Dated this 22nd day of August, 2018.

The John Kuyper Revocable Trust  
dated April 24, 2001

BY: Donnadell Wright  
Donnadell Wright, Co-trustee

BY: Patricia Waechter  
Patricia Waechter, Co-trustee

BY: Jan Morrison  
Jan Morrison, Co-trustee

Except for the rights, privileges, benefits and easements granted herein, Grantors reserve unto themselves all rights of ownership and use to the easement area not inconsistent herewith: provided that such uses shall not interfere with the proper operation, maintenance and repair of the drainage system and an additional 100 feet running in the northeasterly direction for the drop of land for water flow. In the event the Grantees need to perform work on the drainage system, Grantees shall reimburse the owner of the property described herein for any crop loss or damage to the land and shall return the land to the condition it was in immediately prior to performing work on the drainage system.

The easement granted herein shall run with and bind the land, benefiting the Grantees' property, and burdening the Grantors' property of which the Easement Area is a part.

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**IN WITNESS WHEREOF**, the Grantors and Grantees have signed, sealed and delivered this instrument this day and year first set forth above.

Dated this 22nd day of August, 2018.

The John Kuyper Revocable Trust  
dated April 24, 2001

BY: Donnadell Wright  
Donnadell Wright, Co-trustee

BY: Patricia Waechter  
Patricia Waechter, Co-trustee

BY: Jan Morrison  
Jan Morrison, Co-trustee



# Aerial Map

N



W

E

885 ft. from Jack's fence to outlet - should have 100 ft. more for the drop of land for water flow

map center: 43° 36' 30.68" N, 97° 10' 44.31" W

27-102N-53W  
 McCook County  
 South Dakota

0ft 840ft 1680ft

Maps Provided By:  
**surety**  
 CUSTOMER ONLINE SUPPORT  
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7/17/2018

Field borders provided by Farm Service Agency as of 5/21/2008.

# 5

## ***LR: LAKE RESIDENTIAL DISTRICT***

### ***5.01 Permitted Uses***

<b>Permitted Use</b>	<b>Applicable Standards</b>
Single-family dwelling	11.02, 11.04, 11.06, 11.10, 11.11
Manufactured home	11.02, 11.04, 11.06, 11.11, 11.13
Neighborhood utility	11.02
Public parks/recreation areas	11.02, 11.04, 11.06
Agriculture (cropping)	11.02
Accessory use and structure (i.e. garage, shed)	11.02, 11.03, 12.01

### ***5.02 Conditional Uses***

<b>Conditional Use</b>	<b>Applicable Standards</b>
Major home occupation	11.12, 17.01
Public utility facility	11.02, 11.04, 11.05, 11.06, 11.11, 17.01
Public service facility	11.02, 11.04, 11.05, 11.06, 11.11, 17.01
Private parks/recreation areas	11.02, 11.04, 11.05, 11.06, 17.01
Commercial outdoor recreation areas similar to public recreation areas	11.02, 11.04, 11.05, 11.06, 17.01
Campground	11.02, 11.04, 11.05, 11.06, 17.01

### ***5.03 Area Regulations***

<b>Minimum Lot Requirements **</b>	<b>Depth</b>	<b>Frontage</b>
All Uses	150 feet	75 feet

\*\* Or have a minimum square footage of 11,250 square feet

Minimum Yard Requirements	General	Side
All Uses	Set back 65 feet from the normal high water mark, and 25 feet from all roads	9 feet, with overhang extending not more than 3 feet into the yard

#### 5.04 Additional Regulations

- A. Construction above highest known water level.

No structure except boat houses, piers, and docks shall be placed at an elevation such that the lowest floor, including basement, is less than 3 feet above the highest known water level. In those instances where sufficient data on known high water levels are not available, the elevation line of permanent terrestrial vegetation shall be used as the estimated high water elevation. When fill is required to meet this elevation the fill shall be required to stabilize before construction is begun.

- B. Minimum Shoreline Alterations.

These regulations are deemed necessary along the shores of natural waters to protect scenic beauty, control erosion, reduce effluent and nutrient flow from the shore land. Tree and shrub cutting in a strip paralleling the shoreline and extending a minimum of thirty-five (35) feet inland from all points along the normal high water mark of the shoreline shall be limited in accordance with the following provisions:

Cutting shall, at a minimum, leave sufficient cover to screen cars, dwellings, and accessory structures, except boathouses, as seen from the water; to preserve natural beauty and to control erosion.

Natural shrubbery shall, at a minimum, be preserved as far as practicable, and where removed, it shall be replaced with other vegetation that is equally effective in retarding runoff, preserving natural beauty and preventing erosion.

- C. Filling, Grading, Lagooning, and Dredging.

Filling, grading, lagooning, or dredging which would result in substantial detriment to natural waters by reason of erosion, sedimentation, or impairment of fish and aquatic life is prohibited.

A permit shall be required for any filling or grading of any area which is within three hundred (300) feet horizontal distance of a natural water body and which has surface drainage toward the water and on which there is:

Filling of more than five hundred (500) square feet of any wetland which is contiguous to

the water; or

Filling or grading on all slopes of twenty (20) percent or more (This does not apply to soil conservation practices such as terraces, runoff diversions and grassed waterways, which are used for sediment retardation); or

Exposure by grading of more than ten thousand square feet of the bank of a natural body of water.

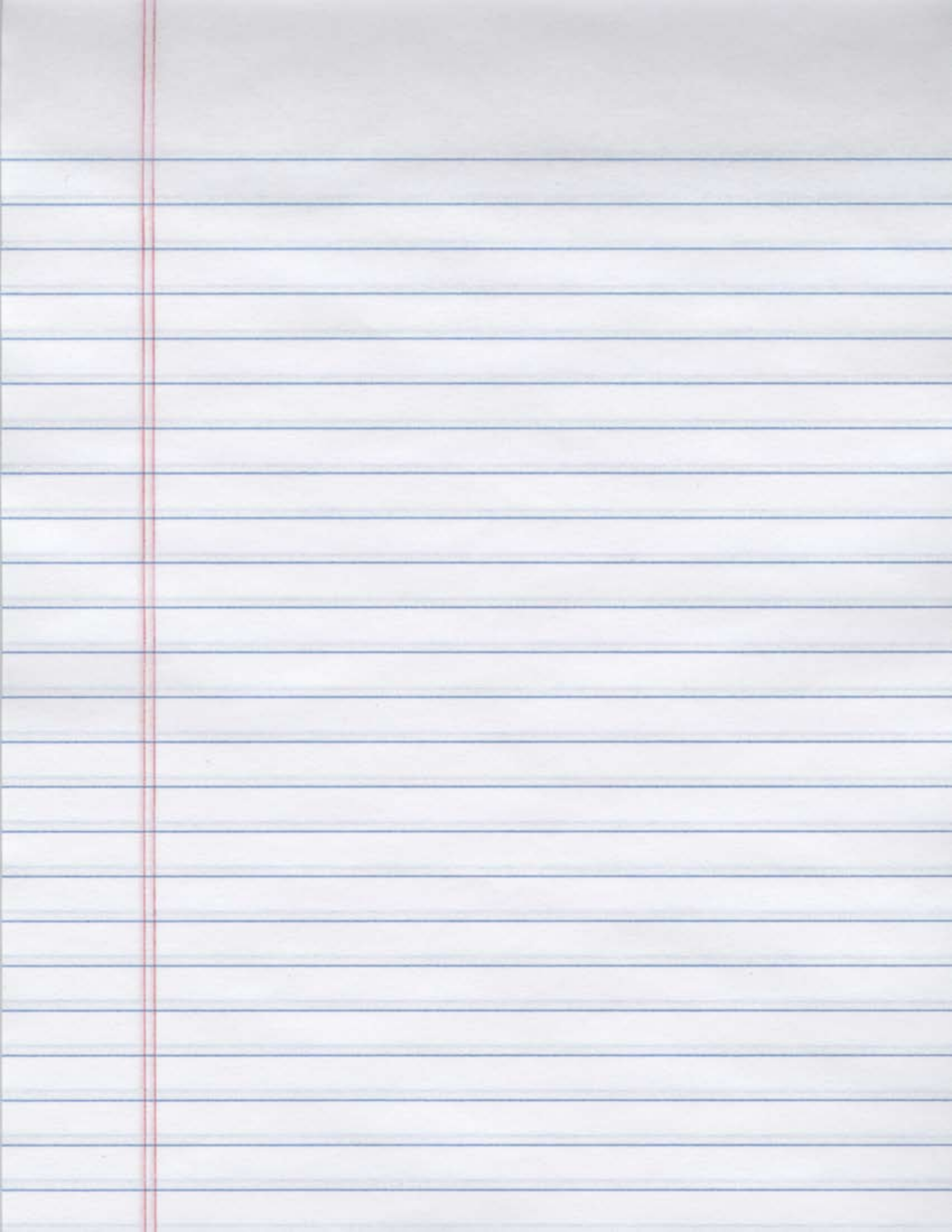
A permit shall be required before constructing, dredging, or commencing work on an artificial waterway, canal, ditch, lagoon, pond, lake, or similar waterway which is within three hundred (300) feet of the natural high water mark of a natural body of water or where the purpose is the ultimate connection with such body of water. (This requirement does not apply to soil conservation practices such as terraces, runoff diversions, and grassed waterways which are used for sediment retardation).

D. Minimum Sewer Requirements.

Installation of wastewater systems shall comply with the Administrative Rules of South Dakota, Chapter 74:53:01.



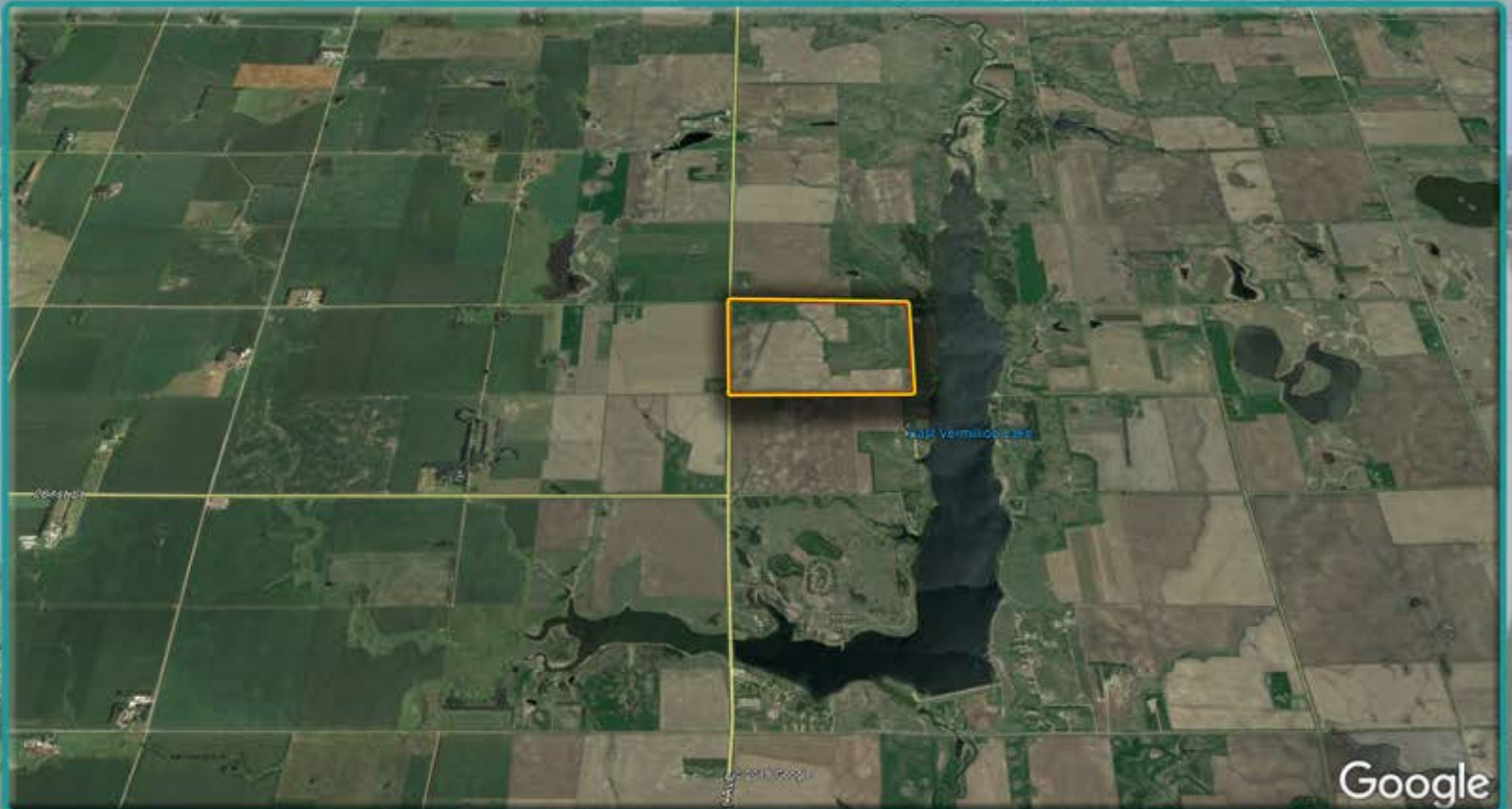




McCok County

# FARMLAND AUCTION

**239.34  
Acres**



**TERMS:** Cash sale with 15% (non-refundable) down payment auction day with the balance on or before November 28, 2018. Trustees Deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Seller will pay all of the 2018 taxes in full. Buyer to receive landlord's possession at closing and full possession March 1, 2019. Remember auction held in the Wieman Auction Facility!

Thursday  
**OCTOBER 18th**  
at 10:30 AM



44628 SD HWY, Marion SD

phone: 800-251-3111

web: [wiemanauction.com](http://wiemanauction.com)

fax: 605-648-3102

*"We Sell The Earth And Everything On It!"*