

# AUCTION

THURSDAY, MARCH 12TH 10:30 AM

## 126.63 ACRES OF SOUTH UTICA TOWNSHIP YANKTON COUNTY LAND AT AUCTION



OWNER:

HERMAN SCHWARZ ESTATE



208 N Broadway, Marion SD

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

phone: 800-251-3111

fax: 605-648-3102

*"WE SELL THE EARTH AND EVERYTHING ON IT!"*

**126.63 ACRES OF SOUTH UTICA TOWNSHIP  
YANKTON COUNTY LAND AT AUCTION**

In order to settle the estate, the following land will be offered for sale at public auction at Minervas Convention Center 1607 E. Hwy. 50 Yankton, SD on:

**THURSDAY MARCH 12<sup>TH</sup> 2015  
10:30 A.M.**

It is our privilege to offer this outstanding, powerful, all tillable tract of land that has excellent soil ratings, with predictable yield potential, good eye appeal, and land that would command top rental rates. Great location within 1 mile of the city limits of Yankton and ½ mile from Hwy. 50 makes this an outstanding opportunity to purchase high quality land in the tightly held South Utica Township.

**LEGAL:** The SE ¼ except Platted land therein, in Section 3, 93-56 Yankton County, SD

**LOCATION:** From the Junction of US Hwy. 81 & 50 (Wal-Mart) go 2-miles west on Hwy. 50 turn south ½ mile on 438<sup>th</sup> Ave or Timberland Drive west side of the road or from Yankton Redi-Mix go 1 ¼ mile west with driveway access on the north side, or at the junction of Timberland Drive & West 23<sup>rd</sup> St. Note field is behind all of the residential homes.

- 128.6 acres tillable land. Every acre productive with no loss of RROW acres.
- Single family housing developments are located on the south and east sides of the property. Access gained by a 66' strip of land that is located on the south side of the property that adjoins 310<sup>th</sup> St or West 23<sup>rd</sup> St.
- Soil production rating of 84.8. Predominant soils include Egan-Ethan-Complex (82), Wentworth silty loams (86) and Egan-Wentworth (91)
- Property is being sold subject to the 2015 crop lease which pays \$21,219/year or \$165/acre and is paid March 1<sup>st</sup> & November 1<sup>st</sup>
- Annual Taxes are \$2,886.48. No building eligibilities exist or will transfer with the property.
- Base & Yield info, wetland maps, and other pertinent information is found in the buyers packet
- IF you are looking for an outstanding add-on piece for your farm operation or investment portfolio check out this property. No disappointments!

**TO INSPECT THE PROPERTY:** We invite you to inspect the property at your convenience or visit [www.wiemanauktion.com](http://www.wiemanauktion.com) for a buyers packet or contact the auctioneers at 800-251-3111 and a buyers packet can be mailed out.

**TERMS:** Cash sale with 15% (non-refundable) down payment auction day with the balance on or before April 15, 2015. Personal Representatives deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Seller to pay the 2014 taxes in full and buyer will be responsible for all of the 2015 taxes. Sold subject to the existing crop lease for the 2015 crop year, and Personal Representative's approval pursuant to SD Uniform Probate Code, and all easements and restrictions of record. Auction to be held indoors at Minervas Convention Center. Come prepared to buy!

**HERMAN SCHWARZ ESTATE – OWNER  
JEANETTE GRAVDAHL – PERSONAL REPRESENTATIVE**

Wieman Land & Auction Co. Inc.  
Marion, SD 800-251-3111  
Gary & Rich Wieman Brokers

Sheila Woodward  
Closing Attorney  
605-665-5009

# Aerial Map



Maps Provided By:  
  
CUSTOMIZED ONLINE MAPPING  
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**3-93N-56W**  
**Yankton County**  
**South Dakota**

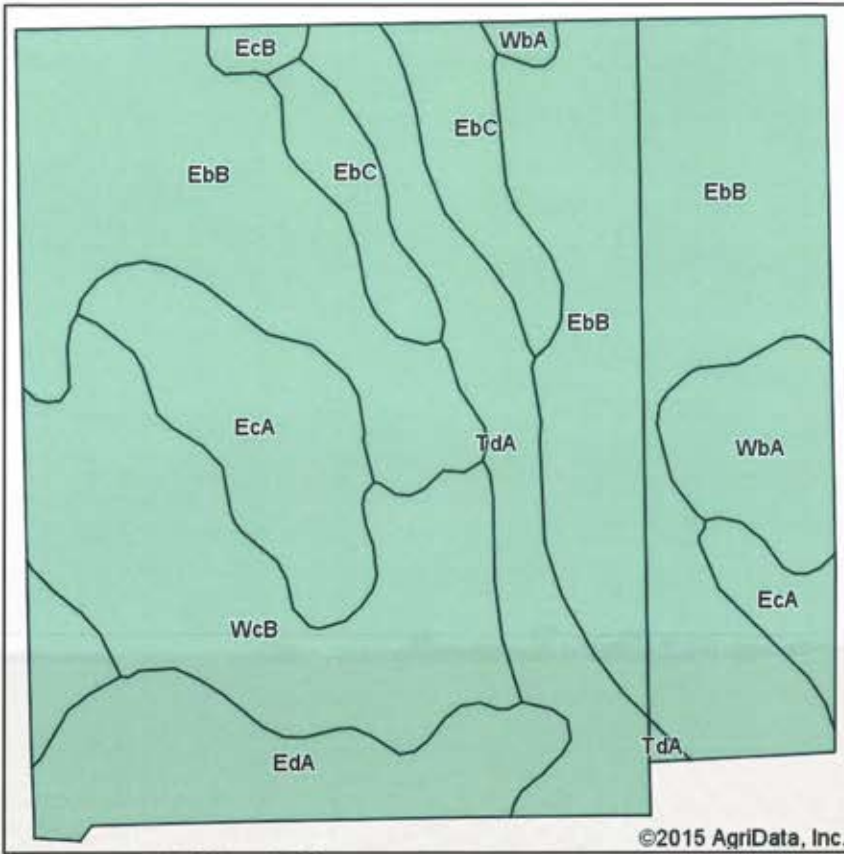
map center: 42° 54' 5.6, 97° 26' 48.57  
scale: 9383



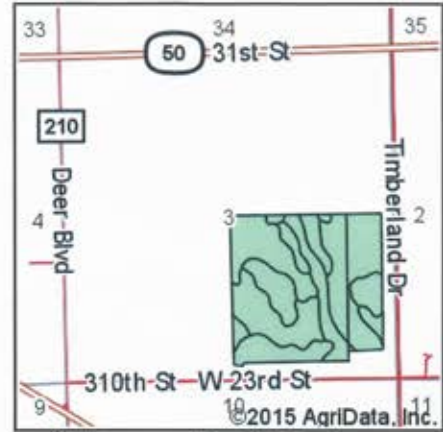
1/29/2015

Field borders provided by Farm Service Agency as of 5/21/2008. Aerial photography provided by Aerial Photography Field Office.

# Soil Map



Soils data provided by USDA and NRCS.



State: **South Dakota**  
 County: **Yankton**  
 Location: **3-93N-56W**  
 Township: **West Yankton**  
 Acres: **128.6**  
 Date: **1/29/2015**



Maps Provided By:  
**surety**  
 CUSTOMIZED ONLINE MAPPING  
 © AgriData, Inc. 2014 www.AgriDataInc.com

Area Symbol: SD135, Soil Area Version: 16

Code	Soil Description	Acres	Percent of field	Non-Irr Class	Irr Class	Productivity Index	Alfalfa hay	Corn	Grain sorghum	Oats	Soybeans
EbB	Egan-Ethan-Trent complex, 1 to 6 percent slopes	55.31	43.0%		Ile	82	3.5	80	72	80	29
WcB	Wentworth-Trent silty clay loams, 1 to 6 percent slopes	21.17	16.5%		Ile	86	3.7	81	72	81	31
EcA	Egan-Wentworth silty clay loams, 0 to 2 percent slopes	12.89	10.0%		I	91	3.7	85	75	83	31
TdA	Trent silty clay loam, 0 to 2 percent slopes	11.99	9.3%		I	97	4.1	90	76	91	38
EdA	Egan-Whitewood silty clay loams, 0 to 3 percent slopes	11.48	8.9%		Iw	84	3.7	85	75	83	31
EbC	Egan-Ethan-Trent complex, 2 to 9 percent slopes	8.25	6.4%		IIle	70	3.2	69	61	67	26
WbA	Wentworth silty clay loam, 0 to 2 percent slopes	6.64	5.2%		I	90	3.8	86	75	83	33
EcB	Egan-Wentworth silty clay loams, 2 to 6 percent slopes	0.87	0.7%		Ile	85	3.5	80	72	80	29
<b>Weighted Average</b>						<b>84.8</b>	<b>3.6</b>	<b>81.6</b>	<b>72.4</b>	<b>81.1</b>	<b>30.6</b>

Area Symbol: SD135, Soil Area Version: 16

Soils data provided by USDA and NRCS.

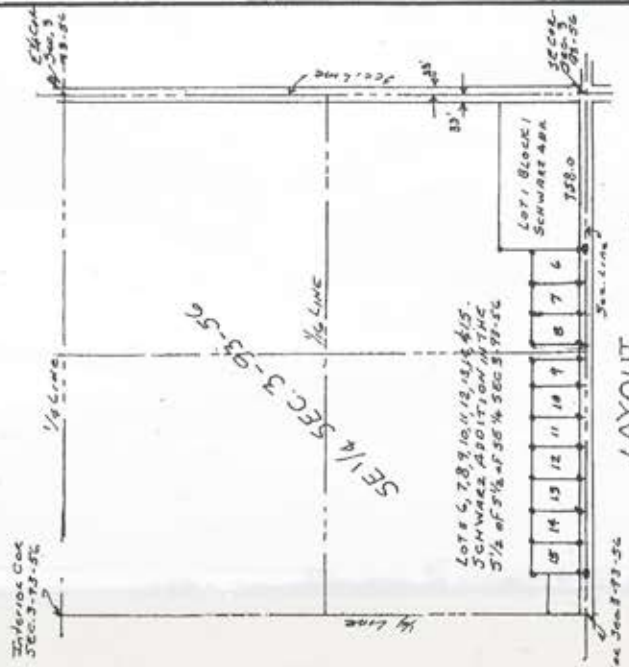


STATE OF SOUTH DAKOTA  
 County of Yankton  
 Office of Register of Deeds  
 filed for Record  
 SEP 1 1970

10.36 Book A, and Record 109  
 on Page 109  
 Spitzer & Lawrence  
 82.25 P.S. #13

- Found Cas. Fa. Part
  - Set steel spike
  - Set Iron Pinner pipe
- Scale  
 LAYOUT 8" = 100'  
 PLAT 1" = 200'

**SURVEY PLAT**  
 LOTS 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15 SCHWARZ ADDITION  
 IN THE S 1/2 OF THE S 1/4 OF THE SE 1/4 SEC. 3 - 93 - 56 - 57 P.M. 1/4 Sec. 3 - 93 - 56



I, Ansel H. Petersen, Registered Land Surveyor, have at the direction of Herman Schwarz and Mary Schwarz made a survey of a tract of land and have subdivided said tract into lots which shall hereafter be known as Lots 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of Schwarz Addition in the S 1/2 of the Southeast Quarter (SE 1/4) of Section Three (3), Township 93 North, Range 56, West of the 5th P.M. in Yankton County, South Dakota, each lot containing 1.00 acres more or less.  
 I certify that I have executed the above instrument this 13<sup>th</sup> day of October, 1977 A.D.

This is a resurvey and plat of Lots 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 with a 66 ft. Street access east to the 1/16 Sec. line in the S 1/2 of S 1/2 of Sec. 3, T 93 N, R 56 W, in Yankton County, South Dakota. This resurvey and plat voids the original survey and plat dated the 16th day of June, 1976 of the said same tract of land.

*Ansel H. Petersen*  
 Registered Land Surveyor





Overview



Legend

- Townships
- Sections
- Parcels
- City Limits
- Streets and Roads

**Parcel ID** 09.003.200.100  
**Sec/Twp/Rng** 3-93-56  
**Property Address**  
**District** 09633Y - 93-56 TWP/63-3  
**Brief Tax Description** SE4 EXC. ADDITIONS

**Alternate ID** n/a  
**Class** AGA  
**Acreage** 126.630

**Owner Address** SCHWARZ, HERMAN  
 213 KATHERINE WAY  
 YANKTON SD 57078

(Note: Not to be used on legal documents)



CASH RENT FARM LEASE

This Agreement made this 19<sup>th</sup> day of January 2014, by and between Herman Schwarz, Estate hereinafter referred to as "Lessor" and Jerome Poeschl of Yankton, SD, hereinafter referred to as "Lessee".

The parties agree as follows:

SECTION I

DEMISE

In consideration of the rentals reserved in this agreement and the terms, covenants, and conditions of this agreement to be kept and performed by Lessee, lease, demise, and let unto Lessee the real property located in the County of Yankton, State of South Dakota, hereinafter described as follows, to wit:

*Land owned by Herman Schwarz, Estate in the Southeast Quarter (SE1/4), Section three(3), Township Ninety-three (93) North of Range Fifty-six (56) West of the 5<sup>th</sup> P.M., Yankton County, South Dakota.*

SECTION II

TERM OF LEASE

The term of this lease shall be for two (2) years commencing on March 1<sup>st</sup> 2014 and expiring when the crops are all harvested in the fall of 2015 or if sooner, February 28, 2016.

SECTION III

RENTAL

As rental for the demised premises, Lessee agrees to pay the sum of \$165 per acre per year for 128.6 acres. Therefore, the total rental due is \$21,219 per year. One half of said amount is due on or before March 1<sup>st</sup>, 2014 and the other half of said payment is due on or before November 1<sup>st</sup>, 2014 for the first year and March 1<sup>st</sup>, 2015 and November 1<sup>st</sup>, 2015 for the second year.

SECTION IV

FERTILIZER AND WEED CONTROL

In addition to the rental stated in Section Three, Lessee agrees to furnish all material, labor, and equipment to properly apply all necessary fertilizer and weed eradicator in the treatment of noxious weeds on the demised premises, all at Lessee's cost and expense.

SECTION V  
CULTIVATION

Lessee shall cultivate the demised premises in a good and husband like manner in accordance with the best methods of cultivation practice in the County of Yankton, State of South Dakota.

SECTION VI  
LESSOR'S RIGHT OF ENTRY

The lessor reserves the right to enter on the demised premises at reasonable and proper time for the purpose of inspecting the premises and/or showing the premises to prospective tenants.

SECTION VII  
WASTE

The lessee agrees not to commit or permit to be committed any waste of the demised premises. The lessee agrees to keep the ground free from thistles, sunflowers, cockleburrs and noxious weeds up to the fence line.

SECTION VIII  
GOVERNMENT AGRICULTURAL PROGRAMS

Lessee agrees to comply with all farm crop programs promulgated by the United States Department of Agriculture, Farm Service Agency or its successors and Lessor agrees to cooperate with such programs. Both parties agree to provide any signatures necessary in order to obtain the benefits available from said programs.

SECTION IX  
SUBLEASE

Lessee agrees not to sublet the demised premises, or any portion of the demised premises, or to assign this lease, or any portion of interest in this lease, without the prior written consent of the lessor. It is expressly agreed that any such subletting or assignment for the benefit of creditors or the lessee, whether voluntarily or involuntarily, at the sole option of lessor shall work as a termination of this lease.



## SECTION X

### SEED, LABOR, MACHINERY, AND CHEMICALS

Lessee shall furnish at lessee's sole expense, all seed to be used on the premises, all labor, machinery, and chemicals during the term of this agreement, and shall plant, raise, cultivate and thresh all crops grown on the premises at lessee's own expense.

## SECTION XI

### DEFAULT

Should Lessee fail in any manner to comply with any of the terms, covenants and conditions of this lease agreement to be kept and performed by Lessee, or should Lessee by any act or negligence or carelessness, or through any act or omission permit or suffer damage to the demised premises in any substantial manner, then in any occurrence of such events Lessor, his heirs, executors, or administrators, or assigns, may notify Lessee of such default. In the event Lessee shall fail to immediately remedy the default, the Lessor, or his heirs, executors, or administrators, or assigns may terminate this lease and take possession of the demised premises without the necessity of giving further notice.

## SECTION XII

### LIENS AND IMPROVEMENTS

Lessee may not cause or permit any mechanics, materials, or other lien on the premises. If any lien is placed on the premises, lessee shall cause the same to be removed within 30 days after the date of such lien attachment.

Lessee may not make any alterations to the premises, nor make any contract therefore, without the prior written consent of Lessor, except only as may be specifically authorized elsewhere in this agreement.

## SECTION XIII

### GOVERNING LAW

This agreement shall be governed by, construed, and enforced in accordance with the laws of the State of South Dakota.

BINDING AGREEMENT

This agreement shall be binding upon each party's heirs, successors and permitted assigns and time is of the essence.

Each party to this agreement has signed and executed this agreement on the day in January of 2014 as indicated.

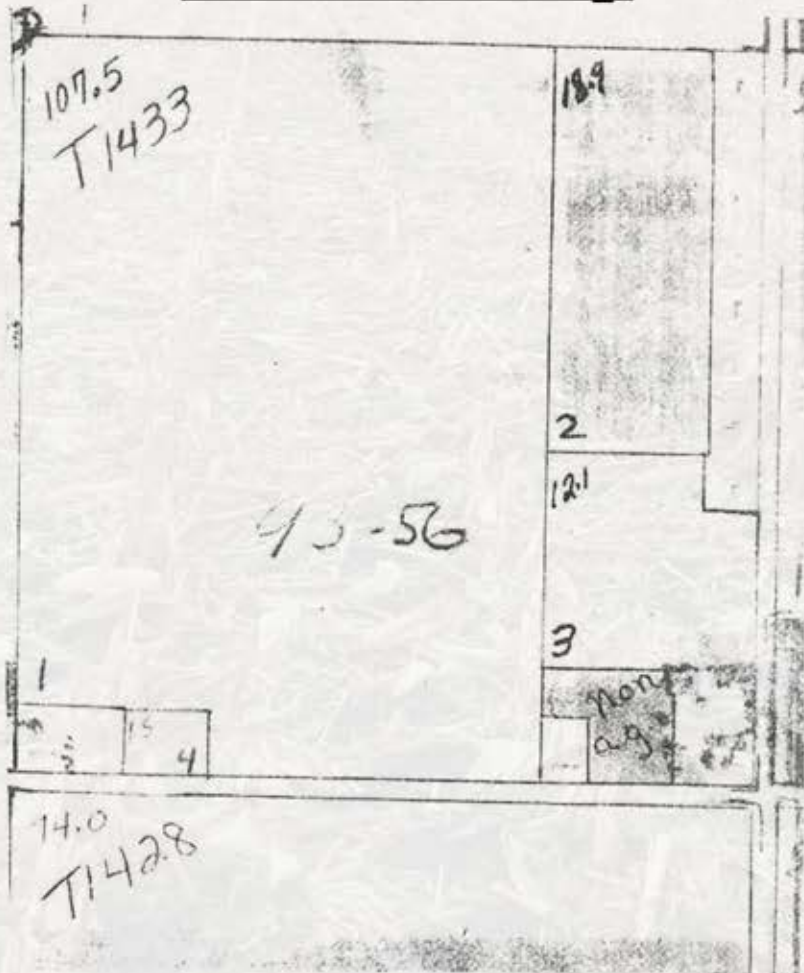
Date: 1/19/2014

Jeanette Gravdahl  
Jeanette Gravdahl, Personal Representative for Herman Schwarz, Estate

Date: 1-29-14

Jerome Poeschl  
Jerome Poeschl

# Wetlands Map



FARM: 3835

South Dakota

U.S. Department of Agriculture

Prepared: 2/11/15 2:07 PM

Yankton

Farm Service Agency

Crop Year: 2015

Report ID: FSA-156EZ

Abbreviated 156 Farm Record

Page: 1 of 1

DISCLAIMER: This is data extracted from the web farm database. Because of potential messaging failures in MIDAS, this data is not guaranteed to be an accurate and complete representation of data contained in the MIDAS system, which is the system of record for Farm Records.

Operator Name	Farm Identifier	Recon Number
MISSOURI RIVER FARMS INC	NONE	

Farms Associated with Operator:

CRP Contract Number(s): None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP	Farm Status	Number of Tracts
128.6	128.6	128.6	0.0	0.0	0.0	0.0	Active	1
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP			FAV/WR History	
0.0	0.0	128.6	0.0	0.0			N	

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction
OATS	2.5	56	57	0.0
CORN	62.0	71	118	0.0
SOYBEANS	62.2	31	37	0.0
<b>Total Base Acres:</b>	126.7			

Tract Number: 1433 Description: SE EX 17AC 3-93-56

FAV/WR History  
N

BIA Range Unit Number:

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

Wetland Status: Tract does not contain a wetland

WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
128.6	128.6	128.6	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP		
0.0	0.0	128.6	0.0	0.0		

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction
OATS	2.5	56	57	0.0
CORN	62.0	71	118	0.0
SOYBEANS	62.2	31	37	0.0
<b>Total Base Acres:</b>	126.7			

Owners: HERMAN G SCHWARZ ESTATE

Other Producers: None

# 126.63 ACRES OF SOUTH UTICA TOWNSHIP YANKTON COUNTY LAND AT AUCTION

**THURSDAY, MARCH 12TH 10:30 AM**



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