

# AUCTION

OFFERED IN THREE TRACTS  
198.76 ACRES MCCOOK COUNTY LAND

THURSDAY, NOVEMBER 12<sup>TH</sup> AT 10:00 AM



OWNER:

HELMUTH R.  
PAPENDICK TRUST



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!"*

**198.76 ACRES MCCOOK COUNTY LAND  
AUCTION**

We will offer the following land at auction, the auction to be held at the Wieman Auction Facility at 44628 SD Hwy 44 Marion SD on:

**THURSDAY, NOV. 12<sup>TH</sup> 10:00 AM**

**To Be Offered in 3 Tracts (Tract #1 – 118.76 Acres, #2 – 80 Acres, #3 – 198.76 Acres)**

**TRACT # 1 118.76 ACRES**

**This tract is located at the Junction of 262<sup>nd</sup> Street and Hwy 81 or from Stanley Corner Jct Hwy 81 & 42, 3 North on Hwy 81.**

This tract has 118.76 acres (+ or -) of unimproved farm land. The FSA indicated that it has 115.75 acres tillable which does include some low ground. The land laves generally level with some low spots and ditches that pass through it. The predominate soil types include Ethan Loams, Clarno Loams, Clarno-Davison Loams, Hand Loams with a soil productivity index rating of 63.8. This tract was all planted to corn for 2015. The annual real estate taxes are \$ 2,108.76. This is an excellent add on unit for farmer or investor.

**LEGAL:** The NE ¼ of the SW ¼ and the S ½ of the SW ¼ except .50 acre and Lot H2 in the S ½ SW ¼ of Section 36-102-55, McCook County SD

**TRACT # 2 80 ACRES**

**This tract joins # 1 on the East Side**

This tract consists of 80 acres (+ or -) of unimproved farm land. The FSA office reports that it has 42.39 acres tillable and the balance in pasture and ROW. It laves level to gently rolling. The predominate soil types are Ethan Loam, Talmo-Betts Loam, Clarno Loam and it has a soil productivity index rating of 45.5. The annual real estate taxes are \$ 1,023.94.

**LEGAL:** The W ½ of the SE ¼ of Section 36-201-55, McCook County SD

**TRACT # 3 198.76 ACRES**

**This is the Combination of Tracts # 1 & # 2**

**TERMS:** Cash Sale with 10% non-refundable down payment per tract the day of sale and the balance on or before Feb. 1, 2016. A Trustee's Deed will be provided, title insurance will be utilized with cost split 50% to buyer and 50% to seller. Full possession for 2016 crop year. 2014 & 2015 RE Taxes to be paid by seller. Sold subject to confirmation by the Trustee. Wieman Land & Auction Co., Inc. is representing the seller in this transaction.

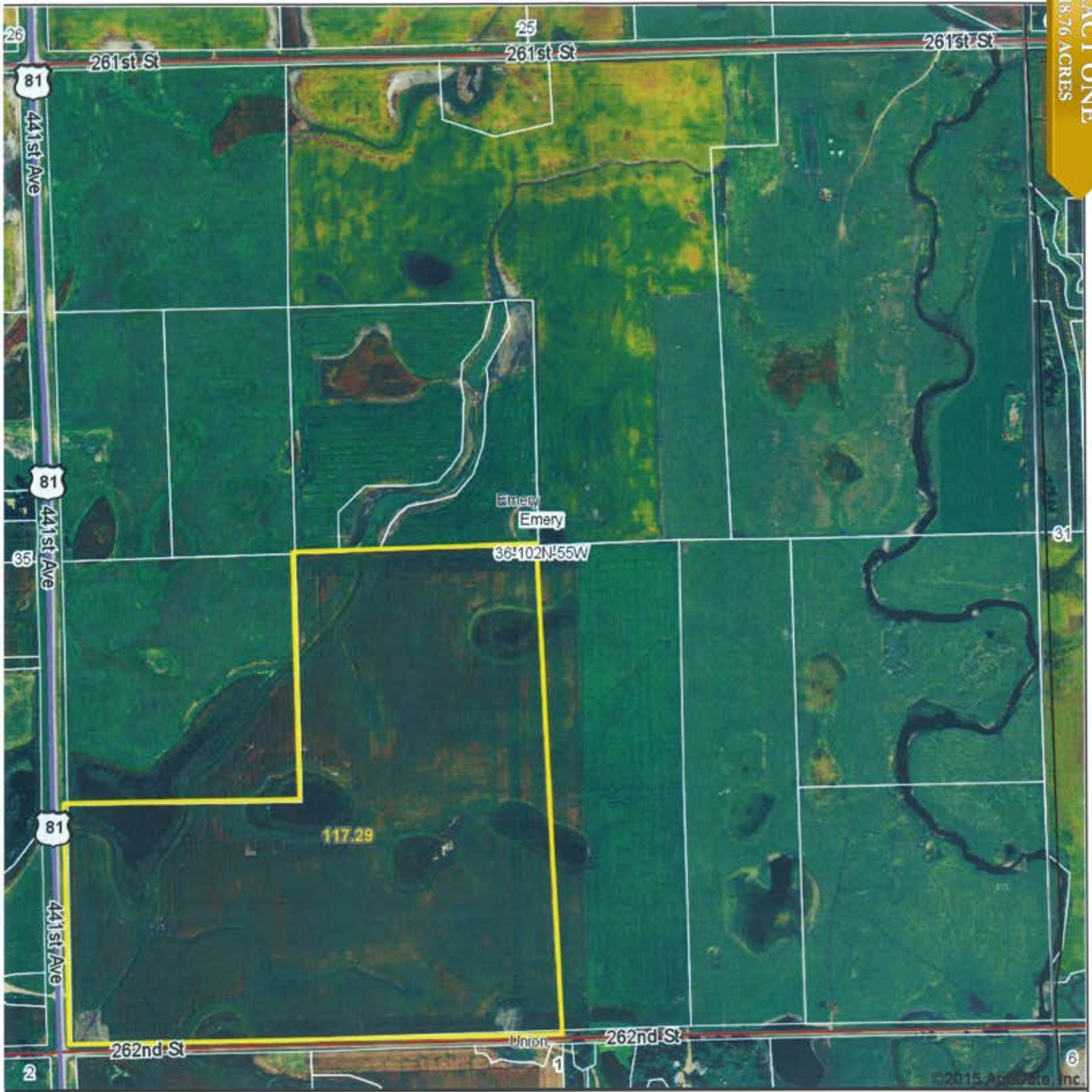
**HELMUTH R. PAPENDICK TRUST  
JOHN PAPENDICK, TRUSTEE  
605-290-9677**

Wieman Land & Auction Co., Inc.  
Rich & Gary Wieman, Brokers  
Kevin, Mike, Derek, Ryan Wieman and  
Ron Leitheiser, Assoc. Brokers  
Marion SD 800-251-3111  
Website: wiemanauction.com

Dale L. Strasser  
Attorney At Law  
Freeman SD 605-925-7745  
Closing Agent

# Aerial Map

TRACT ONE  
18.76 ACRES



Maps Provided By:  
  
CUSTOMIZED ONLINE MAPPING  
© AgriData, Inc. 2015 www.AgriDataInc.com

**36-102N-55W**  
**McCook County**  
**South Dakota**

map center: 43° 35' 38.12, 97° 22' 41.59

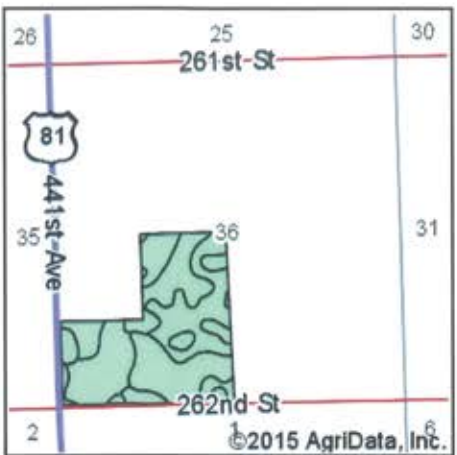
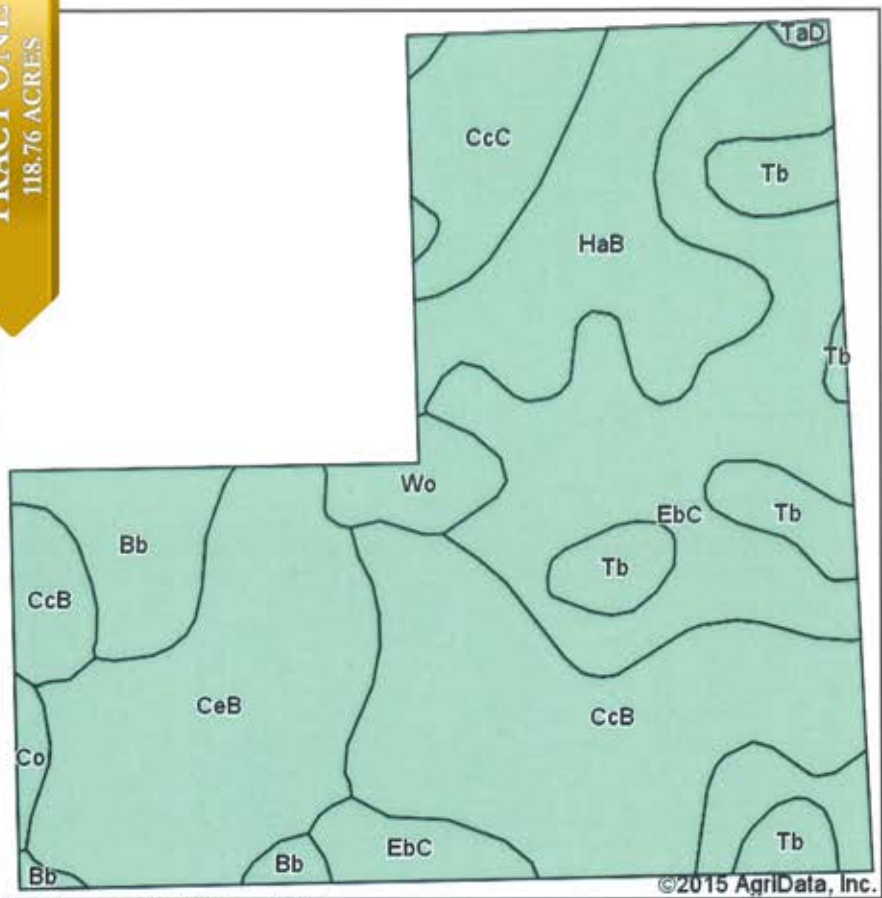
scale: 9504



9/22/2015

**TRACT ONE**  
118.76 ACRES

# Soil Map



State: **South Dakota**  
 County: **McCook**  
 Location: **36-102N-55W**  
 Township: **Emery**  
 Acres: **117.29**  
 Date: **9/22/2015**



Maps Provided By:  
**surety**  
 CUSTOMIZED ONLINE MAPPING  
 © AgriData, Inc. 2015 www.AgriDataInc.com



Soils data provided by USDA and NRCS.

**Area Symbol: SD087, Soil Area Version: 16**

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
EbC	Ethan loam, 6 to 9 percent slopes	30.80	26.3%	IVe	53	2.5	32	47	5.3	28	39	17	25
CcB	Clarno loam, 3 to 6 percent slopes	25.92	22.1%	IIe	81	3.3	45	71	7.9	41	56	28	35
CeB	Clarno-Davison loams, 2 to 5 percent slopes	20.50	17.5%	IIe	70	3	41	68	7.7	40	51	25	32
HaB	Hand loam, 3 to 6 percent slopes	14.50	12.4%	IIe	80	3.3	45	72	8	41	57	28	35
Tb	Tetonka silt loam	7.69	6.6%	IVw	58	0.5	17	52	5.9	31	21	21	8
CcC	Clarno loam, 6 to 9 percent slopes	7.15	6.1%	IIIe	61	2.9	39	59	6.6	34	48	23	30
Bb	Baltic silty clay loam, ponded	6.71	5.7%	VIIIw	12		1	5	0.5	3	1	1	
Wo	Worthing silty clay loam	2.87	2.4%	Vw	37		5	27	3	16	6	10	1
Co	Crossplain-Clarno complex	0.87	0.7%	IIw	78	2.6	42	75	8.4	44	53	29	33
TaD	Talmo-Betts loams, 6 to 15 percent slopes	0.28	0.2%	VIIs	19	1.3	13	14	1.6	9	16	5	10
<b>Weighted Average</b>					<b>63.7</b>	<b>2.6</b>	<b>35.1</b>	<b>57.4</b>	<b>6.4</b>	<b>33.5</b>	<b>43.5</b>	<b>21.8</b>	<b>26.9</b>

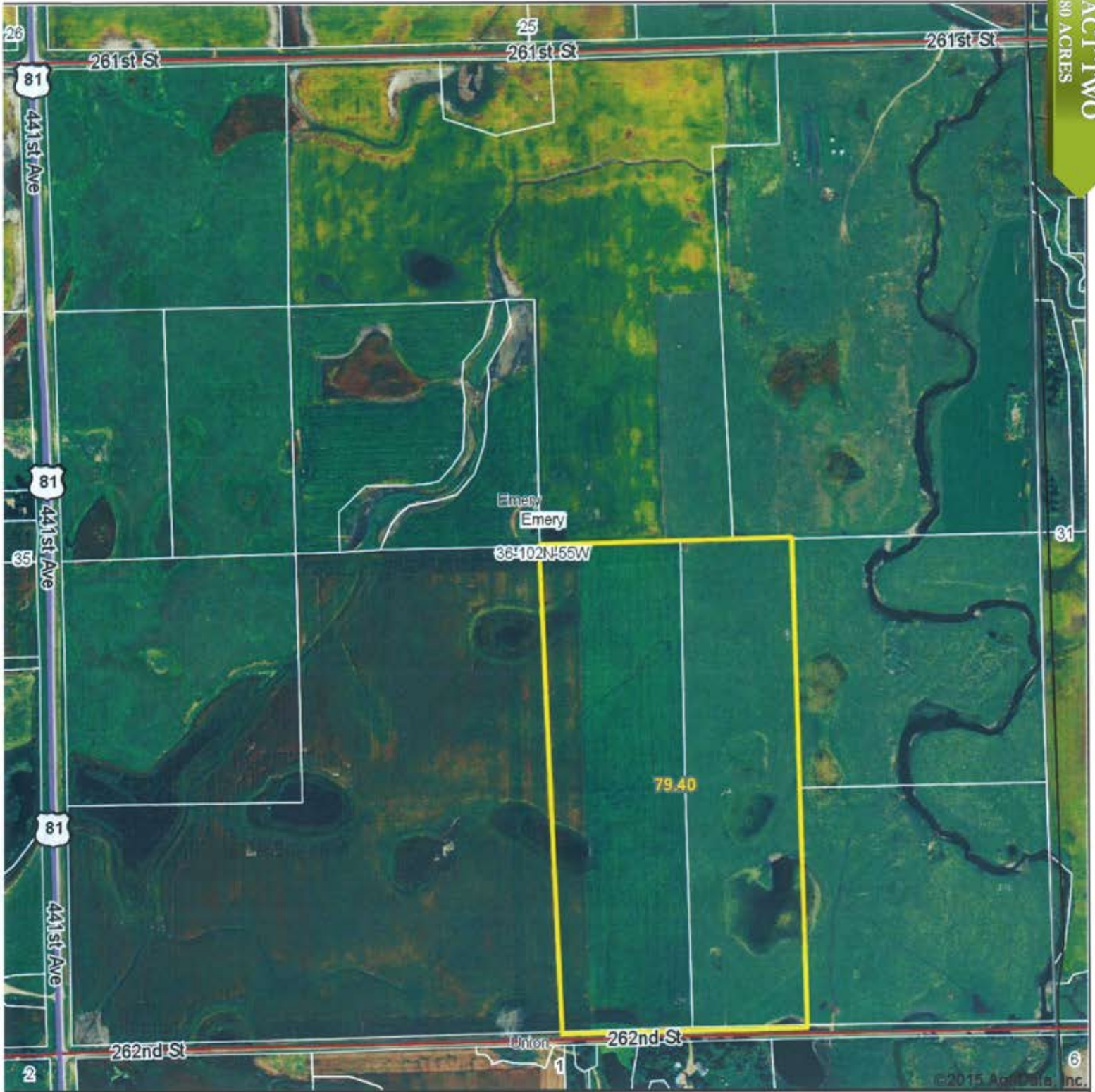
**Area Symbol: SD087, Soil Area Version: 16**

c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

# Aerial Map

TRACT TWO  
80 ACRES



Maps Provided By:  
  
CUSTOMIZED ONLINE MAPPING  
© Agndata, Inc. 2015 www.AgrDataInc.com

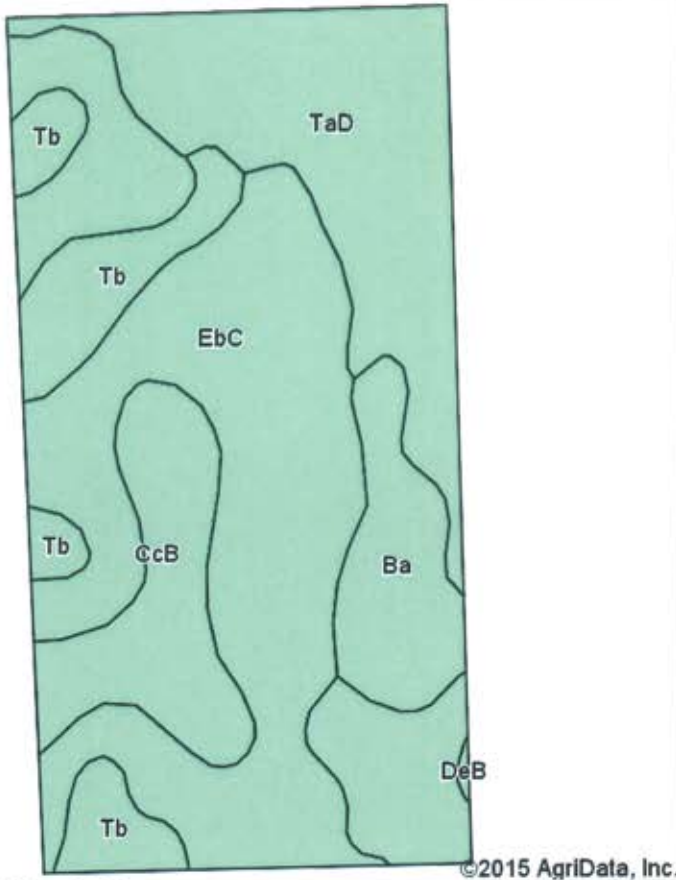
**36-102N-55W**  
**McCook County**  
**South Dakota**

map center: 43° 35' 38.12, 97° 22' 41.59  
scale: 9504

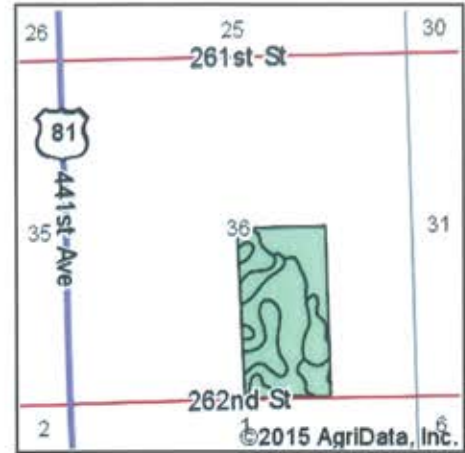


9/22/2015

# Soil Map



Soils data provided by USDA and NRCS.



State: **South Dakota**  
 County: **McCook**  
 Location: **36-102N-55W**  
 Township: **Emery**  
 Acres: **79.4**  
 Date: **9/22/2015**



Maps Provided By:



**Area Symbol: SD087, Soil Area Version: 16**

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
EbC	Ethan loam, 6 to 9 percent slopes	33.81	42.6%	IVe	53	2.5	32	47	5.3	28	39	17	25
TaD	Talmo-Betts loams, 6 to 15 percent slopes	22.33	28.1%	VIIs	19	1.3	13	14	1.6	9	16	5	10
CcB	Clarno loam, 3 to 6 percent slopes	8.61	10.8%	IIe	81	3.3	45	71	7.9	41	56	28	35
Tb	Tetonka silt loam	8.18	10.3%	IVw	58	0.5	17	52	5.9	31	21	21	8
Ba	Baltic silty clay loam	6.36	8.0%	Vw	35		5	27	3	16	6	9	1
DeB	Delmont loam, 3 to 6 percent slopes	0.11	0.1%	IVe	42	1.9	22	21	2.4	14	26	9	17
<b>Weighted Average</b>					<b>45.5</b>	<b>1.8</b>	<b>24.3</b>	<b>39.2</b>	<b>4.4</b>	<b>23.4</b>	<b>29.9</b>	<b>14.6</b>	<b>18.2</b>

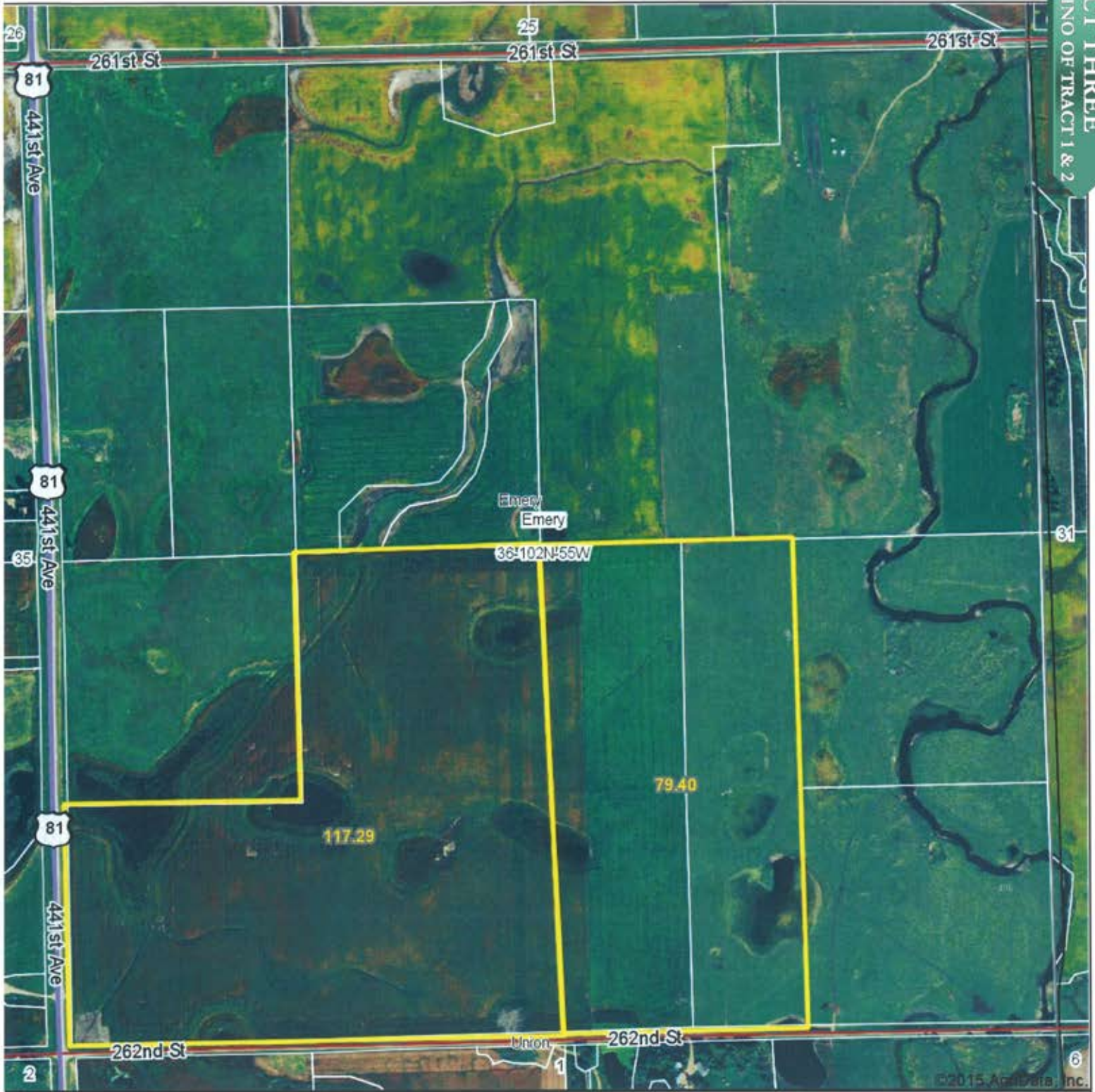
**Area Symbol: SD087, Soil Area Version: 16**

c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

# Aerial Map

TRACT THREE  
COMBINATIO OF TRACT 1 & 2



Maps Provided By:  
  
CUSTOMIZED ONLINE MAPPING  
© AgriData, Inc. 2015 www.AgrDataInc.com

36-102N-55W  
McCook County  
South Dakota

map center: 43° 35' 38.12, 97° 22' 41.59

scale: 9504





9/22/2015



United States  
Department of  
Agriculture





McCook County, South Dakota



Common Land Unit  Tract Boundary  
Common Land Unit  PLSS

 Cropland

Wetland Determination Identifiers

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



2015 Program Year

Map Created May 04, 2015

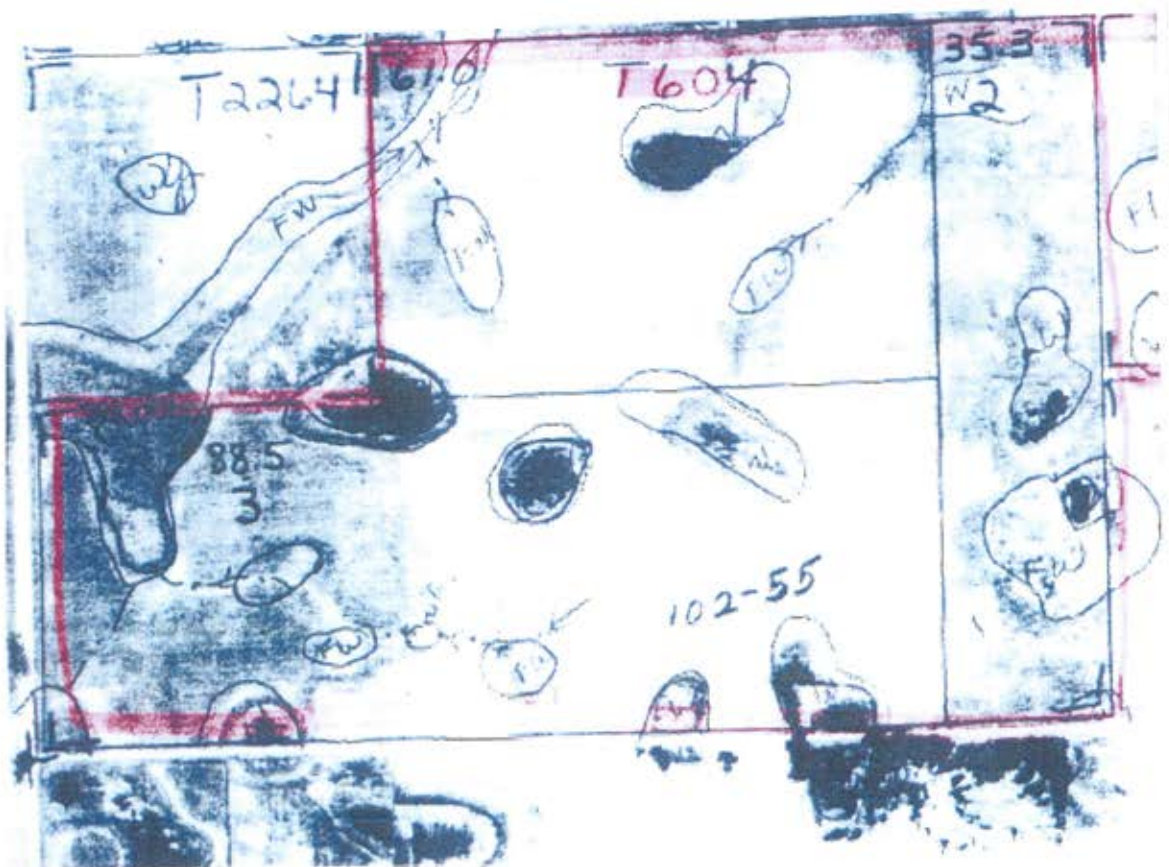
Farm 4676

36 -102N -55W

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).



# WETLAND MAP



Form : FSA-156EZ



United States Department of Agriculture  
Farm Service Agency

Program Year : 2015

Date : Aug 31, 2015

See Page 2 for non-discriminatory Statements.

**Abbreviated 156 Farm Record**

State : SOUTH DAKOTA

Farm Number : 4676

County : MCCOOK

Operator Name :

Farms Associated with Operator : 46-087-4676, 46-087-5905, 46-087-6368, 46-087-6434, 46-087-6599

CRP contract numbers :

**Farm Land Data**

Farmland	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane	Farm Status	Number Of Tracts
194.12	194.12	194.12	0.00	0.00	0.00	0.00	0.00	Active	1
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	FAV/WR History	Acre Election	EWP	DCP Ag. Related Activity	
0.00	0.00	194.12	0.00	0.00	No	No	0.00	0.00	

**Crop Election Choice**

ARC Individual	ARC County	Price Loss Coverage
	CORN, SOYBN	

**DCP Crop Data**

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	CTAP Yield	PLC Yield	HIP
Wheat	0.00	0.00	0	0	
Oats	0.00	0.00	0	0	
Corn	118.00	0.00	0	128	
Grain Sorghum	0.00	0.00	0	0	
Soybeans	75.00	0.00	0	45	
Barley	0.00	0.00	0	0	
<b>TOTAL</b>	<b>193.00</b>	<b>0.00</b>			

**NOTES**

State : SOUTH DAKOTA

Farm Number : 4676

County : MCCOOK

Tract Number : 604

Description : G11 NE SW 36; S SW 36; W SE 36 102 55

FAV/WR History : No

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 :

Owners : HELMUTH R PAPENDICK

Other Producers :

**Tract Land Data**

Farm Land	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane
194.12	194.12	194.12	0.00	0.00	0.00	0.00	0.00



Abbreviated 156 Farm Record

State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	EWP	DCP Ag. Related Activity
0.00	0.00	194.12	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	118.00	0.00	0	128
Soybeans	75.00	0.00	0	45
<b>TOTAL</b>	<b>193.00</b>	<b>0.00</b>		

NOTES

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-8136 (in Spanish).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9922 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider and employer.

TRACT THREE  
COMBINATIVO OF TRACT 1 & 2

FIDELITY NATIONAL TITLE INSURANCE COMPANY  
7701 FRANCE AVENUE SOUTH, SUITE 120, EDINA, MN 55435

SCHEDULE A

Title Officer:  
Escrow Officer:  
Escrow No.: TI-7627  
Loan No.:

Title No.: TI-7627  
Agent Order/File No.:

1. Effective date:
2. Policy or Policies to be issued: Policy Amount
  - (a) Owner's Policy ( ALTA Own. Policy (06/17/06) ) \$ 1.00  
Proposed Insured:  
TO BE DETERMINED
  - (b) Loan Policy ( )  
Proposed Insured:
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 Effective Date vested in:  
HELMUTH R. PAPENDICK, AS TRUSTEE UNDER THE HELMUTH R. PAPENDICK FAMILY TRUST dated August 22, 2007.
5. The land referred to in this Commitment is described as follows:  

PARCEL I: THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4); AND THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), EXCEPT LOT H-2 THEREIN, ALL IN SECTION THIRTY SIX (36), TOWNSHIP ONE HUNDRED TWO (102) NORTH, RANGE FIFTY FIVE (55), West of the 5th P.M., McCook County, South Dakota.  
Subject to easements, restrictions, reservations of record, if any.

PARCEL II: THE WEST HALF OF THE SOUTHEAST QUARTER (W1/2SE1/4) OF SECTION THIRTY SIX (36), TOWNSHIP ONE HUNDRED TWO (102) NORTH, RANGE FIFTY FIVE (55), West of the 5th P.M., McCook County, South Dakota.  
Subject to easements, restrictions, and reservations of record, if any.

*McCook County Abstract & Title Ins. LTD  
P.O. Box 506  
Salem, SD 57058-0506*

**SCHEDULE B - SECTION I  
REQUIREMENTS**

1. Requirements may be included as Special Exceptions on SCHEDULE B, SECTION II.
2. Instruments creating the estate or interest(s) to be insured, the form and execution of which shall be satisfactory to the Company, must be executed, delivered and duly filed for record:
  - a. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
  - b. Pay McCook County Abstract & Title Ins. LTD the premiums, fees and charges for the policy.
  - c. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
3. SUBJECT TO FILING NEW OWNERSHIP DEED/DEEDS WITH A "CERTIFICATE OF TRUST" FOR "HELMUTH R. PAPENDICK FAMILY TRUST dated August 22, 2007" in the Register of Deeds Office of McCook County, SD.

**END OF SCHEDULE B - SECTION I**

**SCHEDULE B - SECTION II  
EXCEPTIONS**

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. General Exceptions:
  1. Rights or claim of parties in possession not shown by the public records.\*
  2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.\*
  3. Easements, or claims of easements, not shown by the public records.\*
  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 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, and 7 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 2015 and subsequent years, not yet due or delinquent.  
NOTE: 2014 Real Estate Taxes payable in 2015 are PAID IN FULL  
Parcel #11.36.4001-----\$2,108.76 (PARCEL I.)  
Parcel #11.36.3003-----\$1,023.94 (PARCEL II.)
5. The land described in the Commitment/Policy does not insure amount of acres.
6. PARCEL I EXCEPTIONS:  
  
EASEMENT executed by The Mutual Benefit Life Insurance Company -to- The State of South Dakota; dated September 12, 1959; FILED October 28, 1939 at 11:25 A.M., and recorded in Book 103 of Deeds, Page 229.  
  
7. TEMPORARY EASEMENT AGREEMENT executed by Helmuth R. Papendick -to- State of South Dakota, acting by and through its Department of Transportation; dated April 3, 1992; FILED April 20, 1992 at 12:06 P.M., and recorded in Book 158 of Deeds, Page 157.  
  
8. VESTED DRAINAGE RIGHT executed by Jerry L. Weber, Sr. -to- The Public; dated June 25, 1992; FILED June 25, 1992 at 2:45 P.M., and recorded in Book 159 of Deeds, Pages 340-341.

**SCHEDULE B - SECTION II**  
**EXCEPTIONS**  
(Continued)

9. VESTED DRAINAGE RIGHT executed by Helmuth R. Papendick and Pearl Papendick -to- The Public; dated May 18, 1991; FILED June 30, 1992 at 9:23 A.M., and recorded in Book 160 of Deeds, Pages 302-304.
10. RIGHT OF WAY EASEMENT executed by Helmuth R. Papendick -to- TM Rural Water District; dated April 4, 2006; FILED April 14, 2006 at 8:30 A.M., and recorded in Book 181 of Deeds, Page 222.
11. Statutory Easement for highway along the section line (or lines) bounding (or within) the land herein described.
12. PARCEL II EXCEPTIONS:  
  
DAM LOCATION NOTICE executed by Helmuth Papendick -to- Water Resources Commission of the State of South Dakota; dated December 5, 1956; FILED December 7, 1956 at 10:00 A.M., and recorded in Book 1 of Dam Locations, Page 158.
13. RIGHT OF WAY EASEMENT executed by Helmuth R. Papendick -to- TM Rural Water District; dated April 4, 2006; FILED April 14, 2006 at 8:30 A.M., and recorded in Book 181 of Deeds, Page 222.
14. Statutory Easement for highway along the section line (or lines) bounding (or within) the land herein described.

**END OF SCHEDULE B - SECTION II**

# AUCTION

OFFERED IN THREE TRACTS

198.76 ACRES MCCOOK COUNTY LAND

THURSDAY, NOVEMBER 12<sup>TH</sup> AT 10:00 AM



**Terms:** Cash Sale with 10% non-refundable down payment per tract the day of sale and the balance on or before Feb. 1, 2016. A Trustee's Deed will be provided, title insurance will be utilized with cost split 50% to buyer and 50% to seller. Full possession for 2016 crop year. 2014 & 2015 RE Taxes to be paid by seller. Sold subject to confirmation by the Trustee. Wieman Land & Auction Co., Inc. is representing the seller in this transaction.