

# AUCTION

FRIDAY JANUARY 6TH, 2017 AT 10:30 A.M.

51.78 ACRES WITH 4-5 BEDROOM, 1½ STORY HOME  
W/OUTBUILDINGS MINUTES FROM SIOUX FALLS



OWNER:

CLARICE WIXON



44628 SD HWY 44, Marion SD

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

phone: 800-251-3111

fax: 605-648-3102

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

**51.78 ACRES WITH 4-5 BEDROOM, 1 ½ STORY HOME W/OUTBUILDINGS**  
**MINUTES FROM SIOUX FALLS**  
**MOTORHOME – CHEVY TRUCK – CAR – CASE VAC TRACTORS – POLARIS RANGER UTV**  
**GOLF CART – LAWN & GARDEN ITEMS**  
**AUCTION**

Ado to health reasons, we will sell the following at auction at 46478 – 263<sup>rd</sup> Street from I-29 and Southeast Technical Institute School exit, go 7 miles West on 263<sup>rd</sup> Street or from Wall Lake corner on Hwy 42, go 2 North, 1 ½ East or from Hartford SD, 3 south and 1 ½ east on

**FRIDAY, JANUARY 6<sup>TH</sup> 10:30 AM**

**REAL ESTATE SOLD FIRST – PERSONAL PROPERTY TO FOLLOW**

The real estate consists of 51.78 acres improved with remodeled 4-5 bedroom 1 ½ story home that is only 7 miles from Sioux Falls on oil road. The outbuildings include a 32 x 36 detached triple garage, 40 x 60 machine shed, 12 x 22 single garage, 14 x 28 storage building and 10 x 12 brooder house. The floor plan of the home includes a kitchen with oak built-in cabinets, dinette area, dining room w/gas fireplace, living room, full bathroom w/Safe Step Walkin Jacuzzi tub, 2- bedrooms and front and rear entrances. The second floor has 3 bedrooms and full bathroom. It has a newer basement with family room w/spiral staircase from living room, forced air LP Gas furnace w/central air, ½ bathroom & Rural Water and large patio area. It has a good shelterbelt, is only minutes from Sioux Falls. The land lays level to gently rolling and has 42.56 acres tillable and the balance in building site, grass and stock dam. The predominate soil types are Egan-Ethan-Trent Complex, Davison-Crossplain Clay Loams, Ethan-Egan Complex and Huntimer Silty Clay Loam and it has a soil productivity index rating of 79.2. This is an excellent opportunity to acquire an acreage with land close to Sioux Falls. This is a must see opportunity. The annual real estate taxes are \$3472.62.

**TO VIEW THE HOME:** Open House Saturday, December 17<sup>th</sup> 10:00 – 12:00; Friday, December 23<sup>rd</sup> 10:00 – 12:00 and Saturday, December 31 10:00 – 12:00

For Buyers Info Packet, visit our website at [www.wiemanauktion.com](http://www.wiemanauktion.com) or call 800-251-3111 and we will send one to you.

**Legal:** The South 3 acres of the N ½ SE ¼ and the S ½ SE ¼ (excluding Tract # 1 and excluding Wixon Tracts) all in Section 2-101-51, Minnehaha County, South Dakota

**TERMS:** Cash Sale with a 15% non-refundable down payment the day of sale and the balance on February 10, 2017. Title insurance will be utilized with the cost split ½ to buyer & ½ to seller. Merchantable Title will be passed by Conservator's Deed. The buyer will receive full possession of building site at closing and Landlords possession of tillable acres rented for 2017 crop year at a rate of \$ 200.00 per acre. The new buyer will received rent payments of \$4250.00 on March 1, 2017 and \$ 4250.00 on November 1, 2017. Seller will pay all 2015 and 2016 RE Taxes, buyer will pay all 2017 RE Taxes. Sold subject to confirmation by the Conservator. Wieman Land & Auction Co., Inc. is representing the seller in this transaction.

**CLARICE WIXON**  
**STEVE WIXON, CONSERVATOR**

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

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

[www.wiemanauktion.com](http://www.wiemanauktion.com)

# Aerial Map

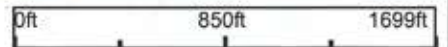


Maps Provided By:



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map center: 43° 34' 47.21, -96° 55' 13.44

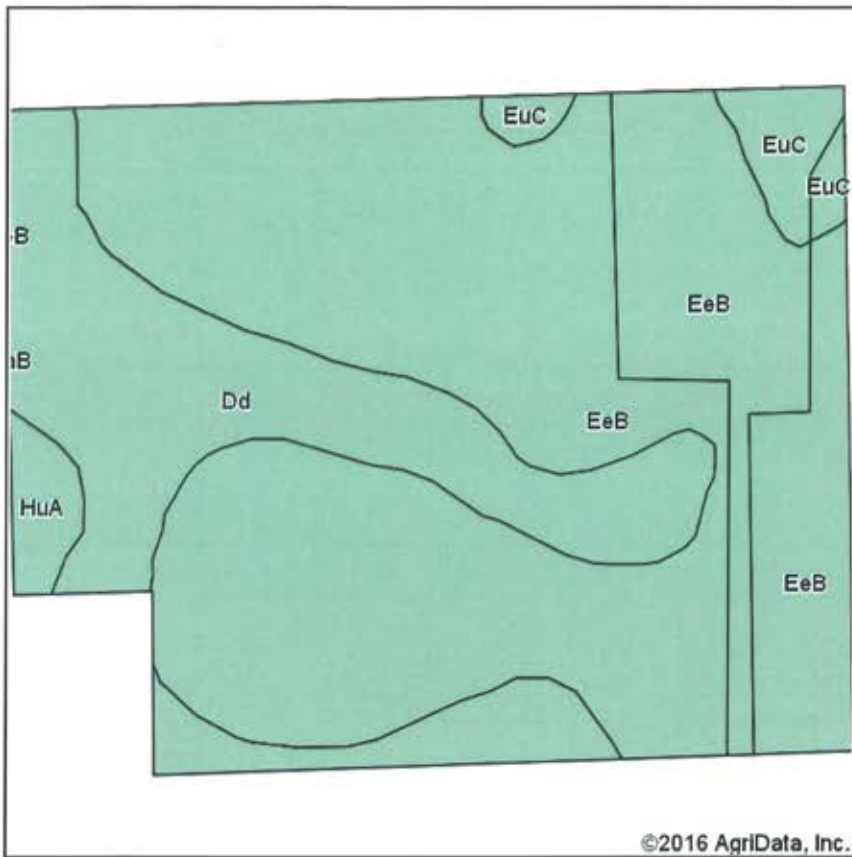


2-101N-51W  
Minnehaha County  
South Dakota



8/16/2016

# Soils Map



Soils data provided by USDA and NRCS.



State: **South Dakota**  
 County: **Minnehaha**  
 Location: **2-101N-51W**  
 Township: **Wall Lake**  
 Acres: **48.88**  
 Date: **8/16/2016**



## Area Symbol: SD099, Soil Area Version: 18

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
EeB	Egan-Ethan-Trent complex, 1 to 6 percent slopes	34.23	70.0%	Ile	81	4.1	50	87	9.2	51	63	31	39
Dd	Davison-Crossplain clay loams, 0 to 2 percent slopes	12.10	24.8%	IIw	76	2.7	40	82	8.7	48	50	28	30
EuC	Ethan-Egan complex, 6 to 9 percent slopes	1.64	3.4%	IVe	61	3.2	39	64	6.7	37	49	23	31
HuA	Huntimer silty clay loam, 0 to 2 percent slopes	0.91	1.9%	Is	89	4	53	92	9.8	54	66	34	41
<b>Weighted Average</b>					<b>79.2</b>	<b>3.7</b>	<b>47.2</b>	<b>85.1</b>	<b>9</b>	<b>49.8</b>	<b>59.4</b>	<b>30</b>	<b>36.5</b>

Area Symbol: SD099, Soil Area Version: 18

\*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

# SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT

(This disclosure shall be completed by the seller. This is a disclosure required by law. If you do not understand this form, seek legal advice.)

Seller Clarice Wixon Property Address 46478 263rd Street

This Disclosure Statement concerns the real property identified above situated in the City of \_\_\_\_\_  
County of Minnehaha, State of South Dakota.

THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH § 43-4-38. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER OR ANY AGENT REPRESENTING ANY PARTY IN THIS TRANSACTION AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PARTIES MAY WISH TO OBTAIN.

Seller hereby authorizes any agent representing any party in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

IF ANY MATERIAL FACT CHANGES BEFORE CONVEYANCE OF TITLE TO THIS PROPERTY, THE SELLER MUST DISCLOSE SUCH MATERIAL FACT WITH A WRITTEN AMENDMENT TO THIS DISCLOSURE STATEMENT.

## I. LOT OR TITLE INFORMATION

1. When did you purchase or build the home? 1972!

*If the answer is yes to any of the following, please explain under additional comments or on an attached separate sheet.*

2. Were there any title problems when you purchased the property? Yes \_\_\_ No

3. Are there any recorded liens or financial instruments against the property, other than a first mortgage?  
Yes \_\_\_ No

4. Are there any unrecorded liens or financial instruments against the property, other than a first mortgage; or have any materials or services been provided in the past one hundred twenty days that would create a lien against the property under chapter 44-9? Yes \_\_\_ No  Unknown \_\_\_

5. Are there any easements which have been granted in connection with the property (other than normal utility easements for public water and sewer, gas and electric service, telephone service, cable television service, drainage, and sidewalks)? Yes \_\_\_ No  Unknown \_\_\_

6. Are there any problems related to establishing the lot lines/boundaries? Yes \_\_\_ No  Unknown \_\_\_

7. Do you have a location survey in your possession or a copy of the recorded plat? If yes, attach a copy.  
Yes \_\_\_ No \_\_\_ Unknown

8. Are you aware of any encroachments or shared features, from or on adjoining property (i.e. fences, driveway, sheds, outbuildings, or other improvements)? Yes \_\_\_ No

9. Are you aware of any covenants or restrictions affecting the use of the property in accordance with local law? If yes, attach a copy of the covenants and restrictions. Yes \_\_\_ No

10. Are you aware of any current or pending litigation, foreclosure, zoning, building code or restrictive covenant violation notices, mechanic's liens, judgments, special assessments, zoning changes, or changes that could affect your property?  
Yes  No \_\_\_

11. Is the property currently occupied by the owner? Yes  No \_\_\_

12. Does the property currently receive the owner occupied tax reduction pursuant to SDCL 10-13-39? Yes  No \_\_\_

13. Is the property currently part of a property tax freeze for any reason? Yes \_\_\_ No  Unknown \_\_\_

14. Is the property leased? Yes  No \_\_\_

15. If leased, does the property use comply with local zoning laws? Yes  No \_\_\_

16. Does this property or any portion of this property receive rent? Yes  No \_\_\_

If yes, how much \$8500 and how often ANNUALLY

17. Do you pay any mandatory fees or special assessments to a homeowners' or condominium association?  
 Yes \_\_\_ No   
 If yes, what are the fees or assessments? \$ \_\_\_ per \_\_\_ (i.e. annually, semi-annually, monthly)  
 Payable to whom: \_\_\_\_\_ For what purpose? \_\_\_\_\_
18. Are you aware if the property has ever had standing water in either the front, rear, or side yard more than forty-eight hours after heavy rain? Yes \_\_\_ No
19. Is the property located in or near a flood plain? Yes \_\_\_ No  Unknown \_\_\_
20. Are wetlands located upon any part of the property? Yes  No \_\_\_ Unknown \_\_\_
21. Are you aware of any private transfer fee obligations, as defined pursuant to § 43-4-48, that would require a buyer or seller of the property to pay a fee or charge upon the transfer of the property, regardless of whether the fee or charge is a fixed amount or is determined as a percentage of the value of the property?  
 Yes \_\_\_ No  Unknown \_\_\_  
 If yes, what are the fees or charges? \$ \_\_\_\_\_ per \_\_\_\_\_ (i.e. annually, semi-annually, monthly)

## II. STRUCTURAL INFORMATION

If the answer is yes to any of the following, please explain under additional comments or on an attached separate sheet.

1. Are you aware of any water penetration problems in the walls, windows, doors, basement, or crawl space? Yes \_\_\_ No
2. What water damage related repairs, if any, have been made? INSTALLED FRENCH DRAIN & 2 Sump pumps  
 If any, when? 17 yrs.?
3. Are you aware if drain tile is installed on the property? Yes  No \_\_\_
4. Are you aware of any interior cracked walls or floors, or cracks or defects in exterior driveways, sidewalks, patios, or other hard surface areas? Yes  No \_\_\_  
 What related repairs, if any, have been made? North Basement Wall Stabilized
5. Are you aware of any roof leakage, past or present? Yes \_\_\_ No   
 Type of roof covering: Asphalt Shingles Age: \_\_\_\_\_  
 What roof repairs, if any, have been made, when and by whom? Flashing Reseal  
 Describe any existing unrepaired damage to the roof: None
6. Are you aware of insulation in:  
 the ceiling/attic? Yes  No \_\_\_ the walls? Yes  No \_\_\_ the floors? Yes \_\_\_ No
7. Are you aware of any pest infestation or damage, either past or present? Yes \_\_\_ No
8. Are you aware of the property having been treated for any pest infestation or damage?  
 Yes \_\_\_ No  If yes, who treated it and when? \_\_\_\_\_
9. Are you aware of any work upon the property which required a building, plumbing, electrical, or any other permit?  
 Yes \_\_\_ No  If yes, describe the work: \_\_\_\_\_  
 Was a permit obtained? Yes \_\_\_ No \_\_\_ Was the work approved by an inspector? Yes \_\_\_ No \_\_\_
10. Are you aware of any past or present damage to the property (i.e. fire, smoke, wind, floods, hail, or snow)?  
 Yes \_\_\_ No  If yes, describe \_\_\_\_\_  
 Have any insurance claims been made? Yes \_\_\_ No \_\_\_ Unknown \_\_\_  
 Was an insurance payment received? Yes \_\_\_ No \_\_\_ Unknown \_\_\_  
 Has the damage been repaired? Yes \_\_\_ No \_\_\_ If yes, describe in detail: \_\_\_\_\_
11. Are you aware of any problems with sewer blockage or backup, past or present? Yes \_\_\_ No
12. Are you aware of any drainage, leakage, or runoff from any sewer, septic tank, storage tank, or drain on the property into any adjoining lake, stream, or waterway? Yes \_\_\_ No  If yes, describe in detail:  
 \_\_\_\_\_  
 \_\_\_\_\_

### III. SYSTEMS/UTILITIES INFORMATION

	None/Not Included	Working	Not Working
1. 220 Volt Service		X	
2. Air Exchanger	X		
3. Air Purifier	X		
4. Attic Fan	X		
5. Burglar Alarm & Security System	X		
6. Ceiling Fan		X	
7. Central Air- Electric		X	
8. Central Air - Water Cooled	X		
9. Cistern	X		
10. Dishwasher		X	
11 Disposal	X		
12. Doorbell		X	
13. Fireplace	X	X	
14 Fireplace Insert		X	
15. Garage Door/Opener Control(s)		X	
16. Garage Wiring		X	
17. Heating System	X		
18. Hot Tub, Whirlpool, and Controls	X	X	
19. Humidifier	X		
20 Intercom	X		
21. Light Fixtures		X	
22. Microwave/Hood		X	
23. Plumbing and Fixtures		X	
24. Pool and Equipment	X		
25. Propane Tank		X	<i>owned</i>
26. Radon System	X		
27 Sauna	X		
28. Septic/Leaching Field		X	
29. Sewer Svstcms/Drtiins		X	
30. Smoke/Fire Alarm		X	
31. Solar House - Heating	X		
32. Sump Pump(s)		X	
33. Switches and Outlets		X	
34. Underground Sprinkler and Heads	X		
35. Vent Fan		X	
36. Water Heater (Electric or Gas)		X	
37. Water Purifier	X		
38. Water Softener - Leased or Owned	X		
39. Well and Pump	<i>has well but has not been used in sometime</i>		
40. Wood Burning Stove	<i>currently disabled</i>		

### IV. HAZARDOUS CONDITIONS

Are you aware of any existing hazardous conditions of the property and are you aware of any tests having been performed?

	Existing Conditions		Tests Performed	
	Yes	No	Yes	No
1 Methane Gas		X		X
2 Lead Paint	X			X
3 Radon Gas (House)		X		X
4 Radon Gas (Well)		X		X
5 Radioactive Materials		X		X
6 Landfill, Mineshaft		X		X
7 Expansive Soil		X		X
8 Mold		X		X
9 Toxic Materials		X		X
10. Urea Formaldehyde Foam Insulations		X		X
11. Asbestos Insulation		X		X
12. Buried Fuel Tanks		X		X
13. Chemical Storage Tanks		X		X
14. Fire Retardant Treated Plywood		X		X
15. Production of Methamphetamines		X		X

If the answer is yes to any of the questions above, please explain in additional comments or on an attached separate sheet.

V. MISCELLANEOUS INFORMATION

- 1. Is the street or road located at the end of the driveway to the property public or private? Public  Private
- 2. Is there a written road maintenance agreement? Yes \_\_\_ No   
If yes, attach a copy of the maintenance agreement.
- 3. When was the fireplace/wood stove/chimney flue last cleaned? unknown
- 4. Within the previous twelve months prior to signing this document, are you aware of any of the following occurring on the subject property?
  - a. A human death by homicide or suicide? Yes \_\_\_ No   
If yes, explain: \_\_\_\_\_
  - b. Other felony committed against the property or a person on the property? Yes \_\_\_ No   
If yes, explain: \_\_\_\_\_
- 5. Is the water source (select one)  public or \_\_\_ private?
- 6. If private, what is the date and result of the last water test? \_\_\_\_\_
- 7. Is the sewer system (select one) \_\_\_ public or  private?
- 8. If private, what is the date of the last time the septic tank was pumped? unknown
- 9. Are there broken window panes or seals? Yes \_\_\_ No   
If yes, specify: \_\_\_\_\_
- 10. Are there any items attached to the property that will not be left, such as: towel bars, mirrors, swag lamps and hooks, curtain rods, window coverings, light fixtures, clothes lines, swing sets, storage sheds, ceiling fans, basketball hoops, mail boxes, etc. Yes \_\_\_ No   
If yes, please list \_\_\_\_\_
- 11. Are you aware of any other material facts or problems that have not been disclosed on this form?  
Yes  No \_\_\_ If yes, explain: East Basement wall might need stabilization

VI. ADDITIONAL COMMENTS (ATTACH ADDITIONAL PAGES IF NECESSARY)

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CLOSING SECTION

The Seller hereby certifies that the information contained herein is true and correct to the best of the Seller's information, knowledge, and belief as of the date of the Seller's signature below. If any of these conditions change before conveyance of title to this property, the change will be disclosed in a written amendment to this disclosure statement.

[Signature]                      3 Dec 2016                      \_\_\_\_\_

Seller                                      Date                                      Seller                                      Date

THE SELLER AND THE BUYER MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND INSPECTIONS OF THE PROPERTY TO OBTAIN A TRUE REPORT AS TO THE CONDITION OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN ANY CONTRACT OF SALE AS NEGOTIATED BETWEEN THE SELLER AND THE BUYER WITH RESPECT TO SUCH PROFESSIONAL ADVICE AND INSPECTIONS.

I/We acknowledge receipt of a copy of this statement on the date appearing beside my/our signature(s) below. Any agent representing any party to this transaction makes no representations and is not responsible for any conditions existing in the property.

\_\_\_\_\_  
Buyer                                      Date                                      Buyer                                      Date



## SELLER'S DISCLOSURE OF INFORMATION ON LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS

### Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

### Seller's Disclosure (initial)

JS (a) Presence of lead-based paint and/or lead-based paint hazards (check one below):

Known Lead-based paint and/or lead-based paint hazards are present in the housing (explain).

\_\_\_\_\_

Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

JS (b) Records and reports available to the seller (check one below):

Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

\_\_\_\_\_

Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

### Purchaser's Acknowledgment (initial)

\_\_\_\_\_ (c) Purchaser has received copies of all information listed above.

\_\_\_\_\_ (d) Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.

\_\_\_\_\_ (e) Purchaser has (check on below):

Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

### Agent's Acknowledgment (initial)

\_\_\_\_\_ (f) Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance

### Certification of Accuracy

The following parties have reviewed the information above and certify to the best of their knowledge, that the information provided by the signatory is true and accurate.

<u>JS</u>	<u>3 Dec 2016</u>		
Seller	Date	Buyer	Date
Seller	Date	Buyer	Date
Agent	Date	Agent	Date

# AUCTION

FRIDAY JANUARY 6TH, 2017 AT 10:30 A.M.



Cash Sale with a 15% non-refundable down payment the day of sale and the balance on February 10, 2017. Title insurance will be utilized with the cost split  $\frac{1}{2}$  to buyer &  $\frac{1}{2}$  to seller. Merchantable Title will be passed by Conservator's Deed. The buyer will receive full possession of building site at closing and Landlords possession of tillable acres rented for 2017 crop year at a rate of \$ 200.00 per acre. The new buyer will received rent payments of \$4250.00 on March 1, 2017 and \$ 4250.00 on November 1, 2017. Seller will pay all 2015 and 2016 RE Taxes, buyer will pay all 2017 RE Taxes. Sold subject to confirmation by the Conservator. Wieman Land & Auction Co., Inc. is representing the seller in this transaction.