

# 80 ACRES

## McCOOK COUNTY LAND

- FRIDAY, NOVEMBER 19TH AT 10:30AM -

SHEILA

# POTTEBAUM

OWNER

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

800.251.3111 | Marion, SD | [WiemanAuction.com](http://WiemanAuction.com)

Wieman Land & Auction Inc., 44628 SD HWY 44, Marion SD 57043





**80-ACRES BROOKFIELD TOWNSHIP – McCOOK COUNTY, SOUTH DAKOTA  
TILLABLE LAND AT AUCTION**

I will offer the following land for sale at public auction at the American Legion in Montrose, SD on:

**FRIDAY NOVEMBER 19<sup>TH</sup>  
10:30 A.M.**

It is our privilege to offer this all tillable powerful 80-acres of land located in the tightly held Brookfield Twp of McCook County, SD. The new buyer will be able to farm or lease out for the 2022 crop year. If a land purchase is in your future, check out this great opportunity.

**LEGAL:** The W ½ of the NW ¼ of Section 36, 104-54 McCook County, South Dakota.

**LOCATION:** From Montrose, SD go 3-miles west on Hwy. 38 turn north on 448<sup>th</sup> Ave go 4 ½ miles, then ¾ mile west on 249<sup>th</sup> St. south side of the road or at the junction of 447<sup>th</sup> Ave and 249<sup>th</sup> St.

- 78.99 acres tillable with the balance in RROW and native grass in the NE corner
- Soil production rating of 71.4. Predominant soils Hand-Davison loams & Hand Ethan loams
- Annual Real Estate taxes are \$1,752.06. New buyer able to farm or lease out for the 2022 crop year.
- Base & Yield info, wetland maps, title insurance and other pertinent info found in the buyers packet

**TO INSPECT THE PROPERTY:** We invite you to inspect the property at your convenience. You may view drone video footage and a buyers packet on [www.wiemauction.com](http://www.wiemauction.com) or call the auctioneers at 800-251-3111 and a buyers packet can be mailed out.

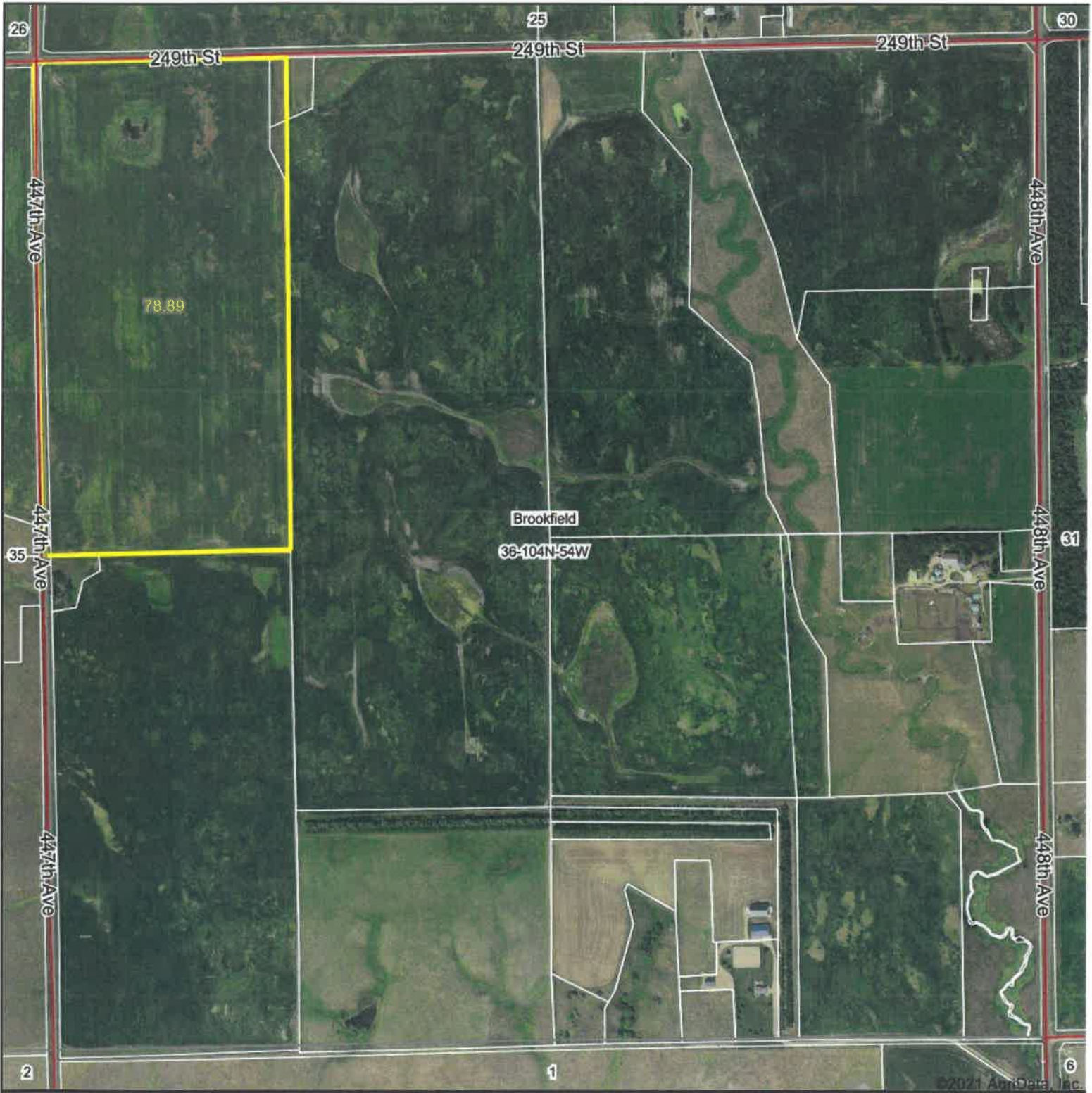
**TERMS:** Cash sale with 15% non-refundable down payment auction day with the balance on or before December 20, 2021. Warranty Deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Sellers to pay the 2021 taxes in full with the buyer responsible for all 2022 taxes. Sold subject to owners approval and all easements and restrictions of record if any. Remember auction to be held in the Montrose American Legion.

**SHEILA POTTEBAUM – OWNER**

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

Jencks & Jencks PC  
Closing Attorney  
605-256-0121

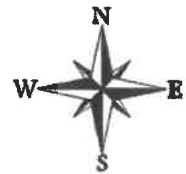
# Aerial Map



Map Center: 43° 46' 3.65, -97° 15' 33.95



**36-104N-54W**  
**McCook County**  
**South Dakota**



9/30/2021



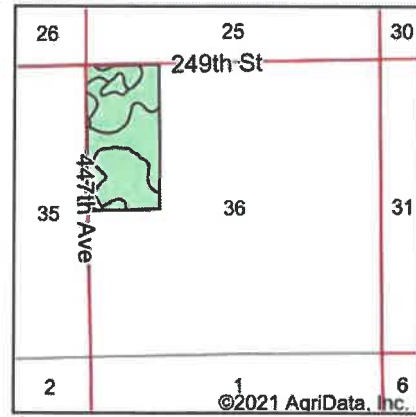
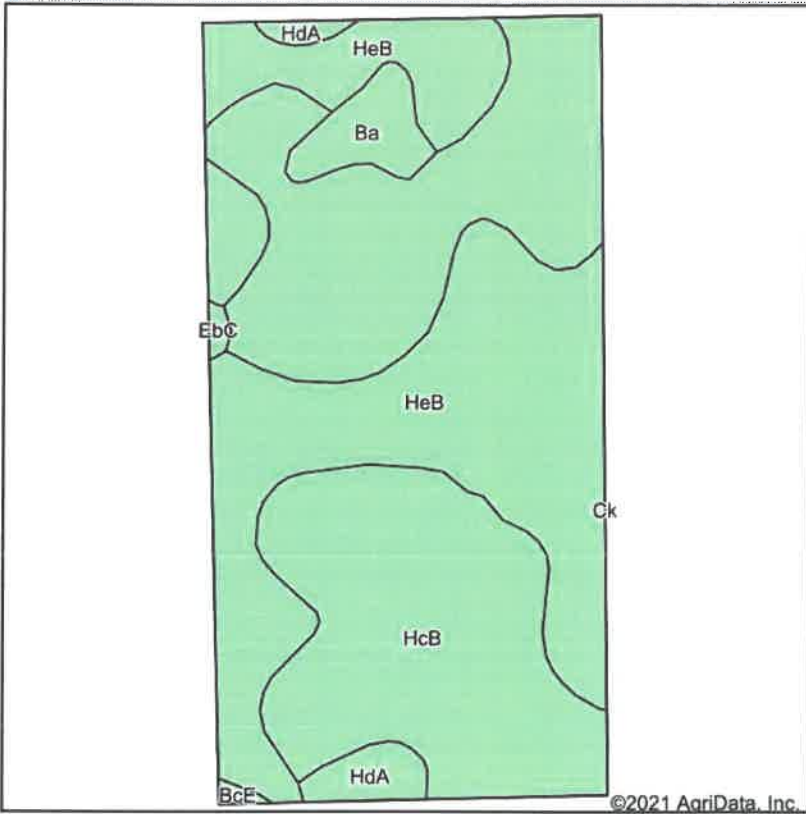
Maps Provided By:



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

### Soils Map



State: **South Dakota**  
 County: **McCook**  
 Location: **36-104N-54W**  
 Township: **Brookfield**  
 Acres: **78.89**  
 Date: **9/30/2021**



Maps Provided By:



Soils data provided by USDA and NRCS.

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Area Symbol: SD087, Soil Area Version: 22

Code	Soil Description	Acres	Percent of field	Non-Irr Class *c	Productivity Index
HcB	Hand-Davison loams, 2 to 5 percent slopes	41.11	52.1%	Ile	70
HeB	Hand-Ethan loams, 3 to 6 percent slopes	32.84	41.6%	Ile	76
Ba	Baltic silty clay loam	2.54	3.2%	Vw	35
HdA	Hand-Davison-Crossplain complex, 0 to 2 percent slopes	1.95	2.5%	Ile	78
EbC	Clarno-Ethan-Bonilla loams, 2 to 9 percent slopes	0.25	0.3%	IIle	69
BcE	Betts-Ethan loams, 15 to 40 percent slopes	0.20	0.3%	VIIle	18
<b>Weighted Average</b>					<b>71.4</b>

\*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.





United States  
Department of  
Agriculture

# McCook County, South Dakota



Common Land Unit  PLSS

- Cropland
- Tract Boundary

**Wetland Determination Identifiers**

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

2021 Program Year

Map Created April 19, 2021

**Farm 7776**

**36 -104N -54W**

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).

Tract Number: 351 Description J4 W NW 36 104 54

FSA Physical Location : McCook, SD

ANSI Physical Location: McCook, SD

BIA Range Unit Number:

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

Wetland Status: Tract contains a wetland or farmed wetland

WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP	EWP	CRP Cropland	GRP
75.8	75.8	75.8	0.0	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPLIFWP	Native Sod		
0.0	0.0	75.8	0.0	0.0	0.0		

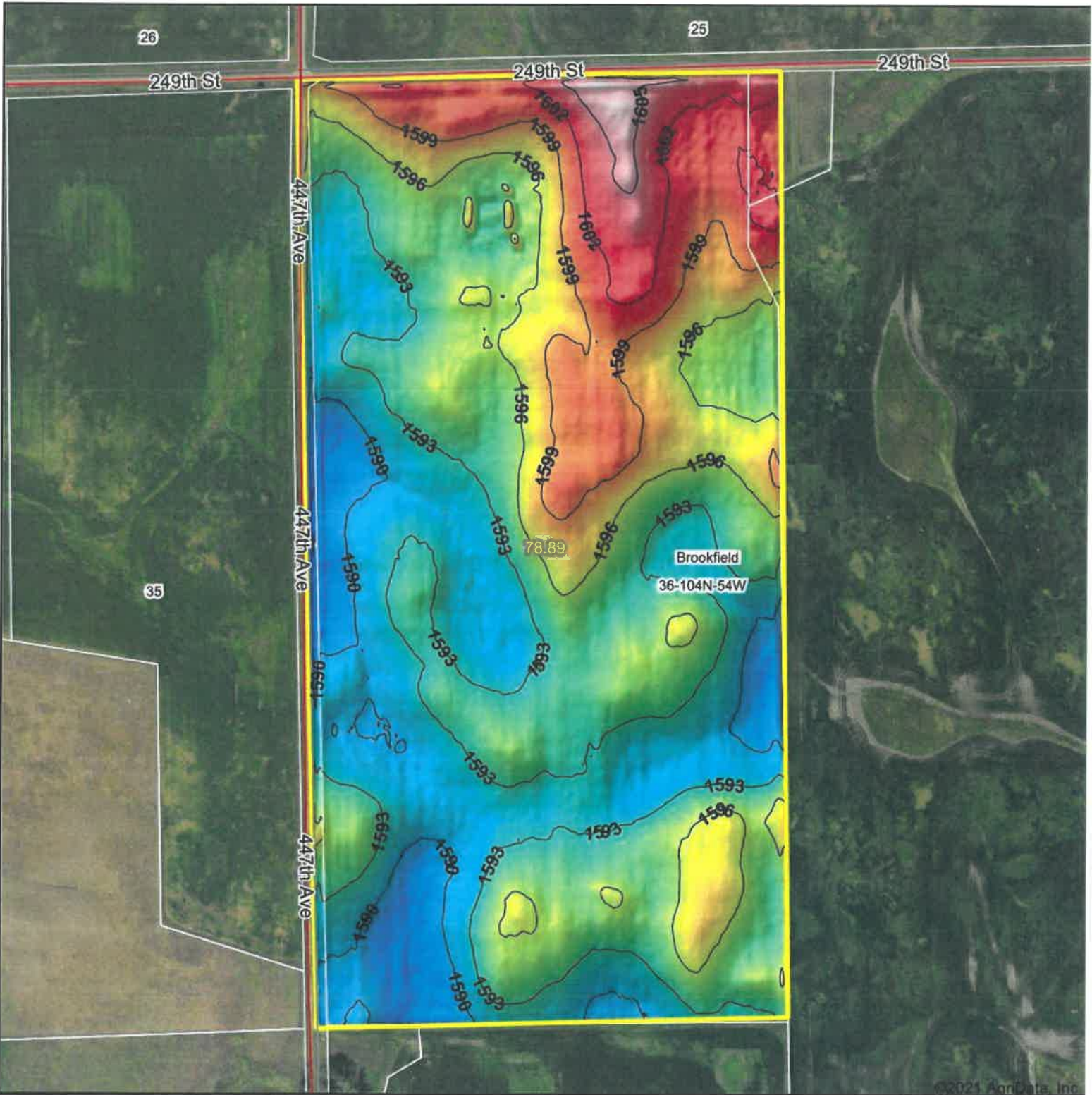
Crop	Base Acreage	PLC Yield	CCC-505 CRP Reduction
CORN	42.9	135	0.00
SOYBEANS	30.7	37	0.00
Total Base Acres:	73.6		

Owners: POTTESBAUM, SHEILA RAE





# Topography Hillshade



Source: USGS 3 meter dem



Interval(ft): 3

Min: 1,586.6

Max: 1,607.4

Range: 20.8

Average: 1,594.8

Standard Deviation: 3.81 ft



9/30/2021

**36-104N-54W**  
**McCook County**  
**South Dakota**

map center: 43° 46' 3.65, -97° 15' 33.95



Maps Provided By:



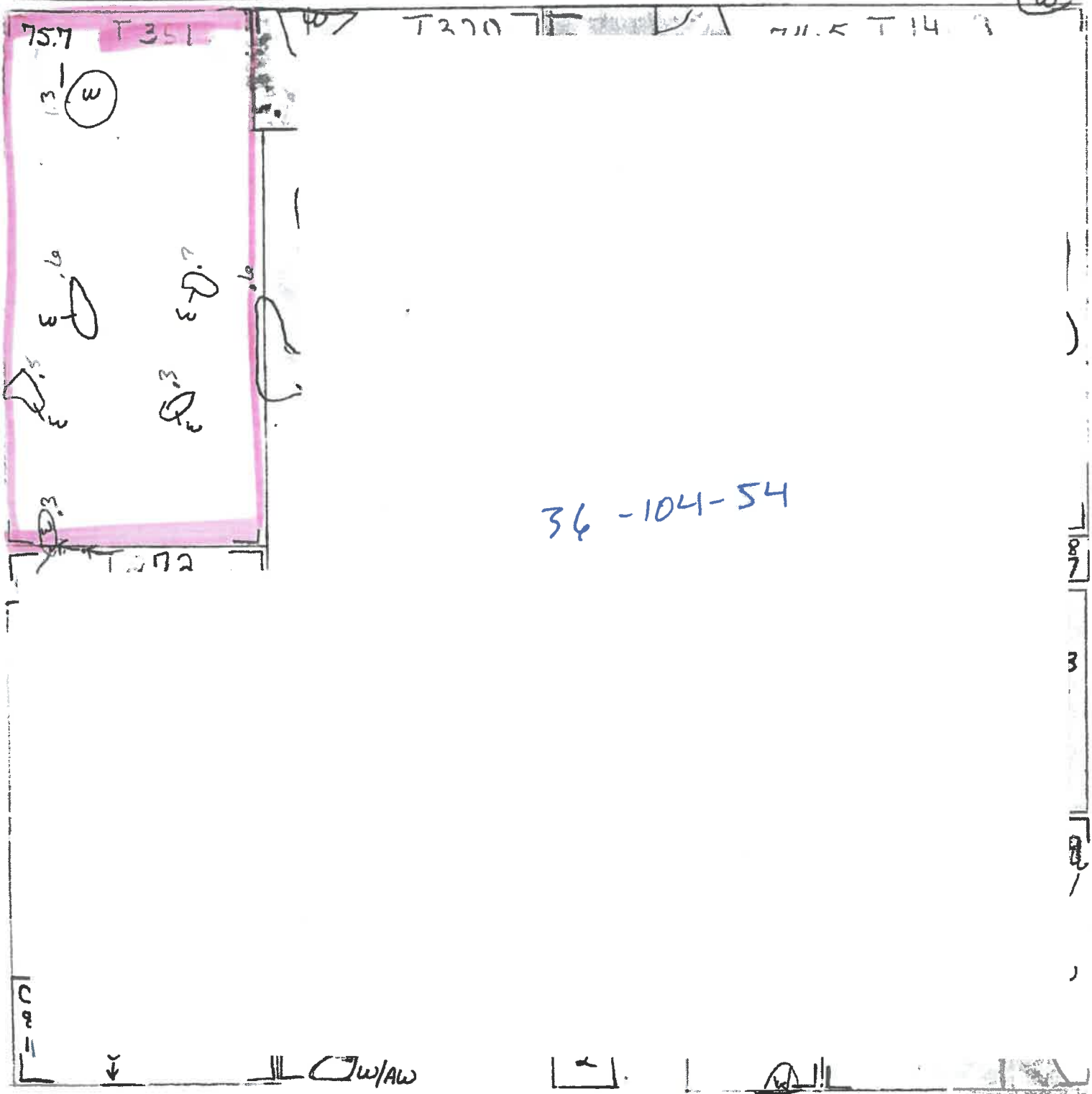
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Field borders provided by Farm Service Agency as of 5/21/2008.

N

OFFICIAL LAND DETERMINATION  
for Highlighted Tracts Only

CALE





SCHEDULE A

1. Commitment Date: September 27, 2021 at 07:00 AM
2. Policy to be issued:
  - (a) ALTA Own. Policy (06/17/06)
    - Proposed Insured: TO BE DETERMINED
    - Proposed Policy Amount: \$ 1.00
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
4. The Title is, at the Commitment Date, vested in:  
SHEILA RAE PETERSON, now known as SHEILARAE POTTEBAUM
5. The Land is described as follows:  
THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) OF SECTION THIRTY SIX (36), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FIFTY FOUR (54), West of the 5th P.M., McCook County, South Dakota.

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

By: Tim Wagner  
McCook County Abstract & Title Insurance, Ltd.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by . 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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**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.

**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.\*
  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

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SCHEDULE B  
(Continued)

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 2021 and subsequent years, not yet due or delinquent  
NOTE: 2020 Real Estate Taxes payable in 2021 (Parcel # 02.36.2002 / \$1,717.44) are PAID IN FULL.
5. 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.
6. Rights of tenants in possession under the terms of unrecorded leases.
7. MORTGAGE executed by Michael A. Pottebaum and Sheila Rae Pottebaum FKA Sheila Rae Peterson, husband and wife -to- American State Bank; dated December 27, 2018 in the principal amount of \_\_\_\_\_; FILED December 31, 2018 at 9:30 A.M., and recorded in Book 210 of Mortgages, Page 747.
8. MORTGAGE executed by Sheila Rae Pottebaum, f/k/a Sheila Rae Pottebaum and Michael A. Pottebaum, wife and husband -to- American State Bank; dated July 14, 2021 in the principal amount of \_\_\_\_\_; FILED July 15, 2021 at 9:50 A.M., and recorded in Book 212 of Mortgages, Page 879.
9. Statutory Easement for highway along the section line (or lines) bounding (or within) the land herein described.

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(TI-9132.PFD/TI-9132/4)

# 80 ACRES

## McCOOK COUNTY LAND

**FRIDAY,  
NOVEMBER 19TH  
AT 10:30AM**

*Auction held at the  
Montrose American  
Legion building.*

**TERMS:** Cash sale with 15% non-refundable down payment auction day with the balance on or before December 20, 2021. Warranty Deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Sellers to pay the 2021 taxes in full with the buyer responsible for all 2022 taxes. Sold subject to owners approval and all easements and restrictions of record if any. Remember auction to be held in the Montrose American Legion.

← SALEM

→ MONTROSE



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Wieman Land & Auction Inc., 44628 SD HWY 44, Marion SD 57043