

161 ACRES TURNER COUNTY LAND

- TUESDAY, OCTOBER 24TH AT 10:30AM -



"We Sell The Earth And Everything On It!"

800.251.3111 | Marion, SD | WiemanAuction.com

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



**161 ACRES OF TURNER TOWNSHIP - TURNER COUNTY LAND AT AUCTION
POWERFUL –GREAT EYE APPEAL - AVAILABLE FOR 2024 CROP YEAR**

In order to dissolve the Trust the following land will be offered at public auction located at the Wieman Auction Facility 44628 SD Hwy. 44 Marion, SD or 1-mile south and ½ mile west of Marion on Hwy. 44 on:

**TUESDAY OCTOBER 24TH 2023
10:30 A.M.**

It is our privilege to offer one of the premier tracts of land found in the tightly held Turner Township of Turner County. This tract offers powerful, heavy soils that provide predictable yield potential year after year. Whether farmer or investor check out this tract. No disappointments!!

LEGAL: The NE ¼ of Section 32, 97-52 Turner County, South Dakota.

LOCATION: From the 4-way stop in Viborg go 4-miles east on 291st St then ½ mile north on 460th Ave west side of the road or at the junction of 290th St. and 460th Ave.

- 156.06 acres tillable, 5.55 acres in waterway, balance in Road Right of Ways.
- Soil Production rating of 86 with the predominant soils being Wentworth-Chancellor-Wakonda (86) and Egan-Trent loams (92)
- New Buyer able to farm or lease out for the 2024 growing season.
- Annual Taxes are \$3,455.32. ½ mile from hard surfaced road with great access.
- Property has minimal drain tile installed that empties into a natural blue line along the eastern side. Excellent tract to improve with pattern tile and provides adequate drop and no wetlands to be found.
- Aerial & Soil maps, Base & Yield info, wetland maps, and other pertinent information found in the buyers packet

TO INSPECT THE PROPERTY: We invite you to inspect the property at your convenience. Drone video footage and buyers packets are available at www.wiemanauktion.com or contact the auctioneers at 800-251-3111 and packets can be mailed out.

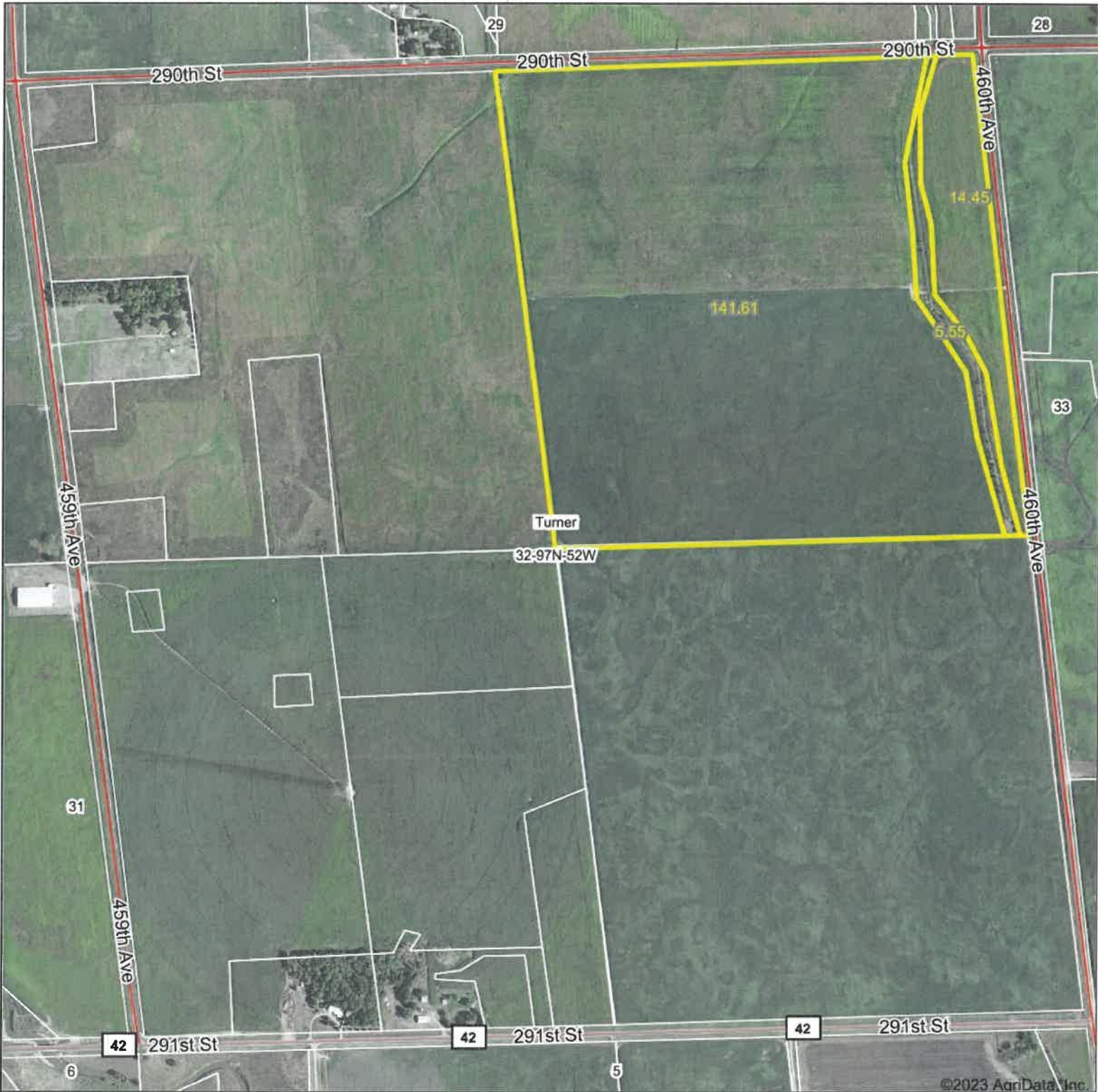
TERMS: Cash sale with 15% (non-refundable) down payment auction day with the balance on or before November 22, 2023. Trustee's Deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Seller to pay all of the 2023 taxes in full with the new buyer responsible for all 2024 taxes due in 2025. Sold subject to owners approval and all easements of record. Remember land auction held in the Wieman Auction Facility.

JOY VANHULL REVOCABLE TRUST – OWNER

Wieman Land & Auction Co. Inc.
Marion, SD 800-251-3111
www.wiemanauktion.com

Ward Law Office
Closing Attorney
605-326-5282

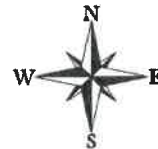
Aerial Map



Boundary Center: 43° 10' 53.87, -97° 0' 34.1



32-97N-52W
Turner County
South Dakota



Maps Provided By:



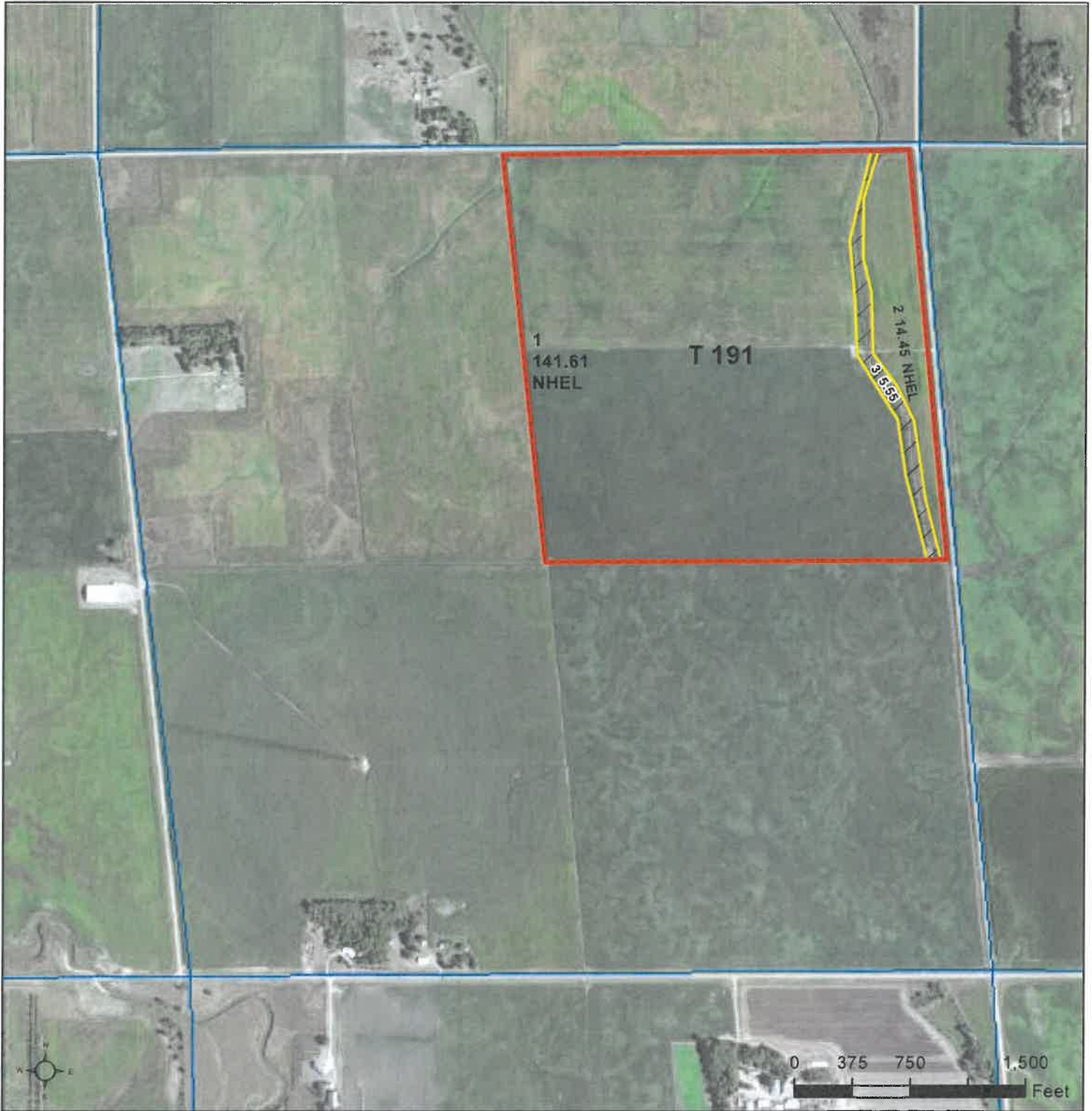
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8/11/2023



United States
Department of
Agriculture

Turner County, South Dakota



Common Land Unit
 Tract Boundary
 PLSS
 Non-Cropland
 Cropland

Wetland Determination Identifiers
 Restricted Use
 Limited Restrictions
 Exempt from Conservation
 Compliance Provisions

Unless otherwise noted, crops listed below are:
 Non-irrigated
 Intended for Grain
 Corn = Yellow
 Soybeans = Common
 Wheat - HRS or HRW
 Sunflowers = Oil or Non
 Producer initial _____
 Date _____

2023 Program Year
 Map Created February 22, 2023

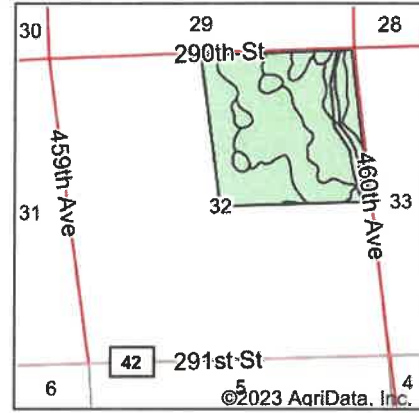
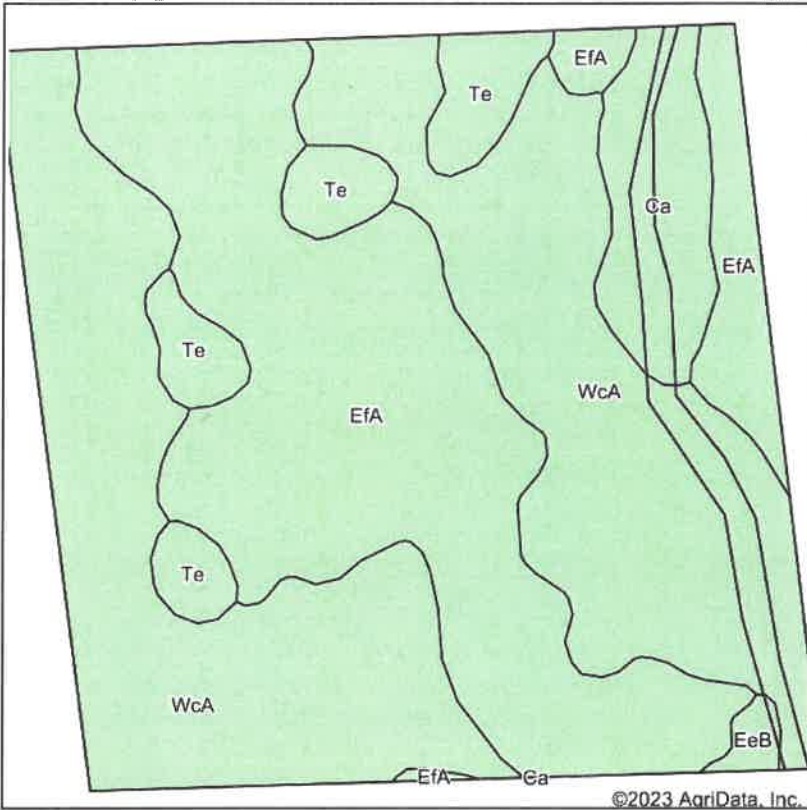
Farm 5993
Tract 191

Tract Cropland Total: 156.06 acres

32-97N-52W-Turner

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).

Soils Map



State: **South Dakota**
 County: **Turner**
 Location: **32-97N-52W**
 Township: **Turner**
 Acres: **161.61**
 Date: **8/11/2023**



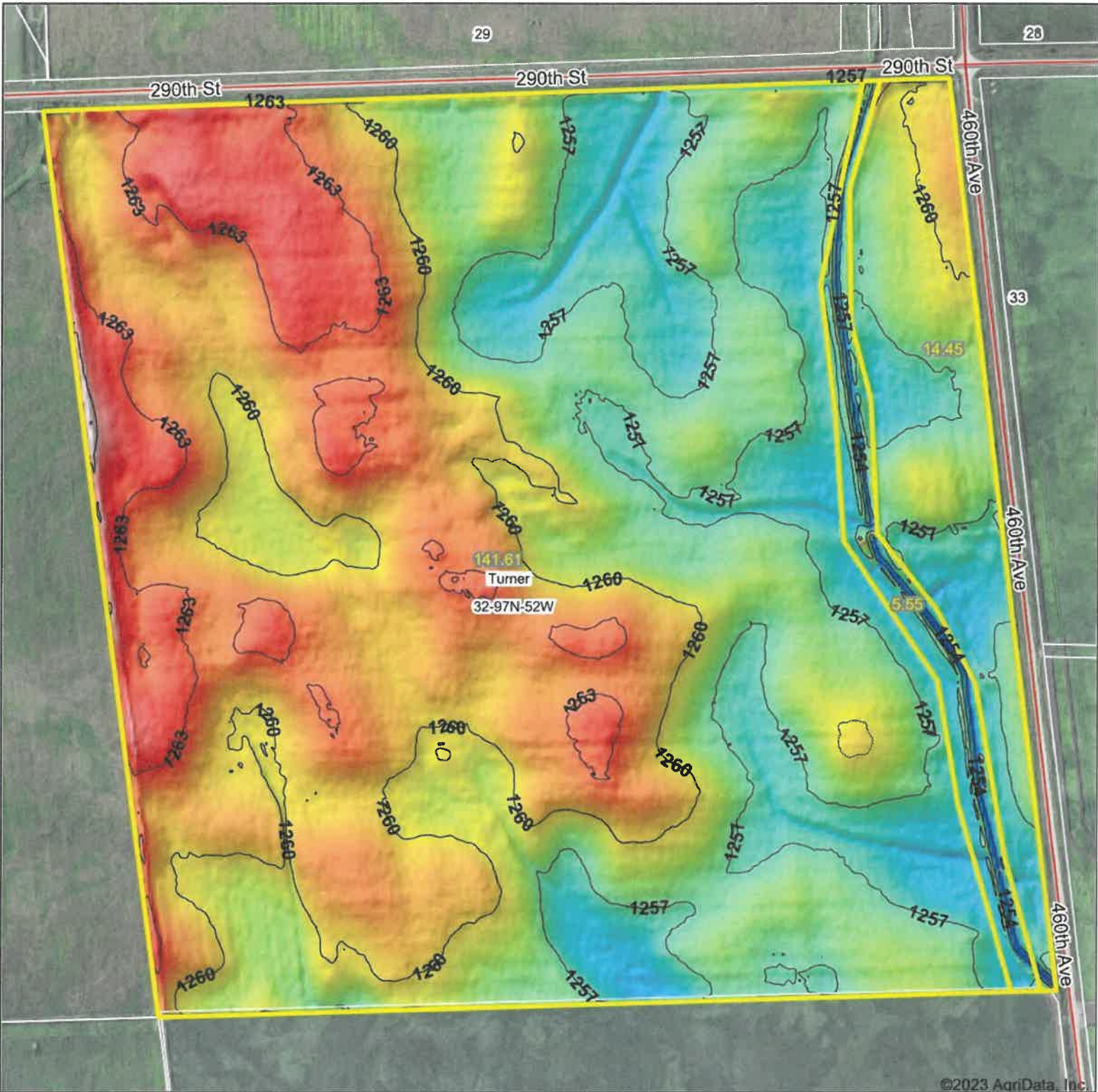
Soils data provided by USDA and NRCS.

Area Symbol: SD125, Soil Area Version: 24					
Code	Soil Description	Acres	Percent of field	Non-Irr Class *c	Productivity Index
WcA	Wentworth-Chancellor-Wakonda silty clay loams, 0 to 2 percent slopes	79.80	49.4%	Iw	86
EfA	Egan-Trent silty clay loams, 0 to 2 percent slopes	60.46	37.4%	Is	92
Te	Tetonka silt loam, 0 to 1 percent slopes	10.27	6.4%	IVw	56
Ca	Chancellor silty clay loam, 0 to 2 percent slopes, frequently flooded	10.02	6.2%	IIw	81
EeB	Egan-Ethan complex, 2 to 6 percent slopes	1.06	0.7%	Ile	77
Weighted Average				1.26	86

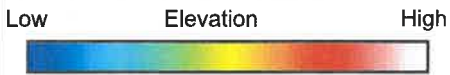
*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

Topography Hillshade



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Source: USGS 3 meter dem
 Interval(ft): 3
 Min: 1,251.7
 Max: 1,267.8
 Range: 16.1
 Average: 1,259.4
 Standard Deviation: 2.56 ft



32-97N-52W
Turner County
South Dakota

Boundary Center: 43° 10' 53.87, -97° 0' 34.1



Maps Provided By:



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

Tract Number : 191
Description : NE 32 97 52
FSA Physical Location : SOUTH DAKOTA/TURNER
ANSI Physical Location : SOUTH DAKOTA/TURNER
BIA Unit Range Number :
HEL Status : NHEL: No agricultural commodity planted on undetermined fields
Wetland Status : Tract does not contain a wetland
WL Violations : None
Owners : JOY VAN HULL
Other Producers : None
Recon ID : None

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	EWP	WRP	GRP	Sugarcane
161.61	156.06	156.06	0.00	0.00	0.00	0.00	0.0

SOUTH DAKOTA
 TURNER
 Form: FSA-156EZ



Abbreviated 156 Farm Record

FARM : 5993
 Prepared : 8/21/23 11:49 AM CST
 Crop Year : 2023

Tract 191 Continued ...

State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	CRP	MPL	DCP Ag. Rel Activity	SOD
0.00	0.00	156.06	0.00	0.00	0.00	0.00	0.00

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield
Oats	10.98	0.00	79
Corn	75.63	0.00	124
Soybeans	64.71	0.00	38
TOTAL	151.32	0.00	

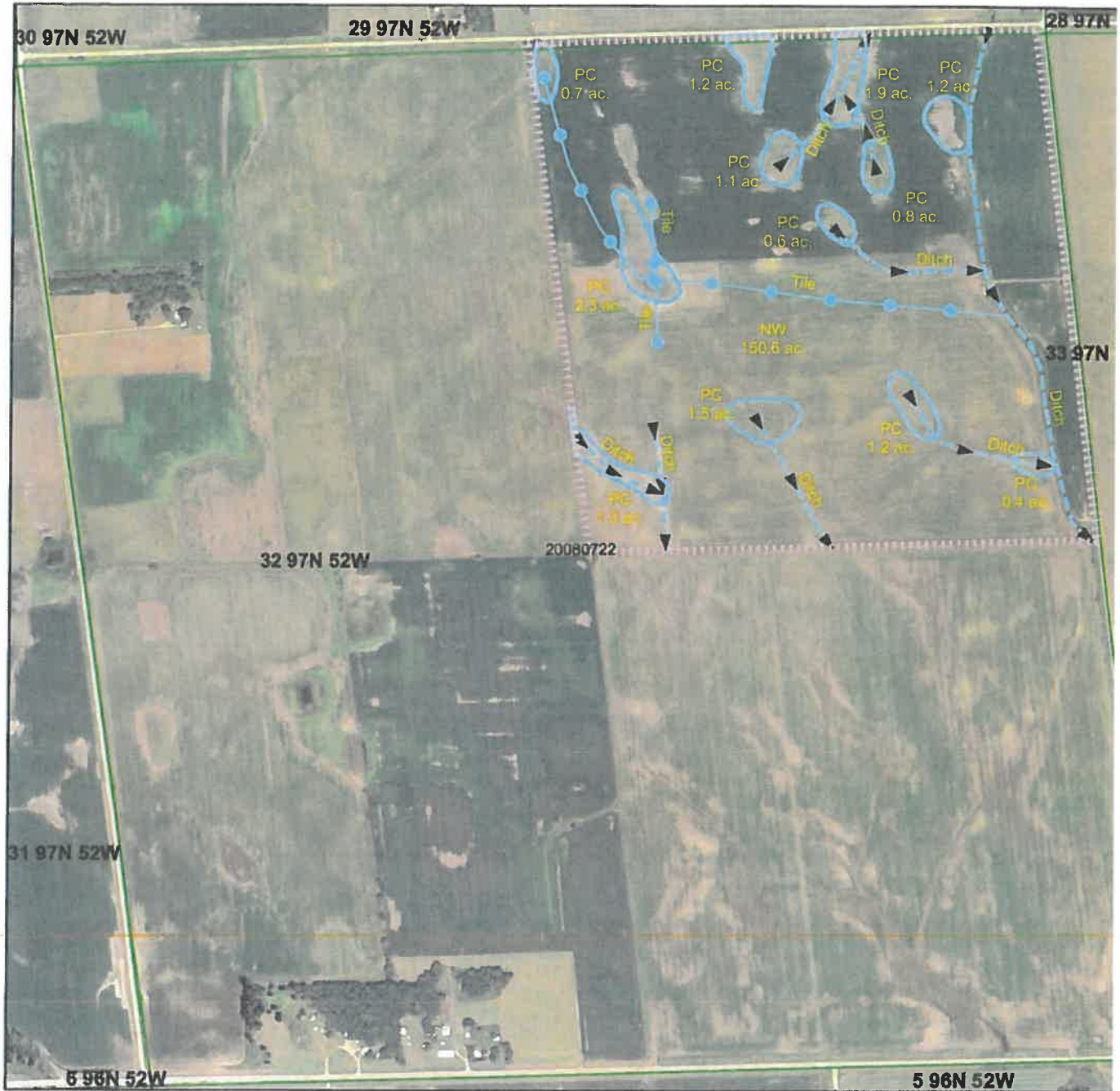
NOTES

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Certified Wetland Determination

Field Office: Turner FO
 Certified By: Andrew Champa
 Legal Desc: NE4 of Section 32, 97-52

Agency: USDA-NRCS
 Certified Date: 1-13-14
 Tract: 191



Legend

- Certified Wetland Determination Boundary
- Wetlands
- Wetlands
- Ditch
- 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
 See NRCS CPA-O26E for definitions and additional info.




Issuing Agent: Turner County Title Company
Issuing Office File Number: 23-TI-14174

SCHEDULE A

- 1. Commitment Date: August 17, 2023 at 07:30 AM
- 2. Policy or policies to be issued:
 - a. ALTA Own. Policy (06/17/06)
 Standard Coverage Extended Coverage
 Proposed Insured: TO BE DETERMINED
 Proposed Policy Amount: \$ 1,000.00
 - b. ALTA Loan Policy (06/17/06)
 Standard Coverage Extended Coverage
 Proposed Insured:
 Proposed Policy Amount: \$ 0.00
- 3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
- 4. Title to the estate or interest in the Land is at the Commitment Date vested in Joy Van Hull, Trustee of the Joy Van Hull Revocable Trust dated November 4, 2003.
- 5. The Land is described as follows:
 The Northeast Quarter (NE 1/4) of Section Thirty-Two (32), Township Ninety-Seven (97) North, Range Fifty-Two (52) West of the 5th P.M., Turner County, South Dakota.

DAKOTA HOMESTEAD TITLE INSURANCE COMPANY

By: 
Turner County Title Company

SCHEDULE B, PART I
Requirements

File Number: 23-TI-14174

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. THE COMPANY requires a Trustee's Deed be executed and recorded conveying title from Joy Van Hull, Trustee of the Joy Van Hull Revocable Trust dated November 4, 2003 to the purchaser of the property.
6. The enclosed Certificate of Trust must be executed and attached to the Trustees Deed and recorded with the Register of Deeds Office.
7. THE COMPANY requires the enclosed South Dakota Data Breach Notification Law Compliance Forms be completed by the Sellers/ Buyers/ Mortgagees and returned to our office. NOTE: THIS WILL BE PROVIDED WHEN FURTHER INFORMATION IS RECEIVED AND WILL BE REQUIRED AT TIME OF CLOSING.
8. The enclosed Affidavit of Entity as to Liens and Encumbrances must be completed, signed and returned to our office. NOTE: THIS WILL BE PROVIDED WHEN FURTHER INFORMATION IS RECEIVED AND WILL BE REQUIRED AT TIME OF CLOSING.
9. The enclosed Affidavit of Purchasers as to Liens and Encumbrances must be completed, signed and returned to our office. NOTE: THIS WILL BE PROVIDED WHEN FURTHER INFORMATION IS RECEIVED AND WILL BE REQUIRED AT TIME OF CLOSING.
10. The enclosed Non- Residential Affidavit must be completed, signed and returned to our office. NOTE: THIS WILL BE PROVIDED WHEN FURTHER INFORMATION IS RECEIVED AND WILL BE REQUIRED AT TIME OF CLOSING.
11. You must tell us in writing the name of anyone not referred to in this commitment who will get an interest in the land. We may make additional requirements and exceptions.
12. AS referenced in Schedule A, this Commitment does not purport to insure any particular transaction, it is being issued as a preliminary or "to be determined" Commitment only, and is being issued as a courtesy. This Commitment must be updated and reissued in order to insure a specific transaction.

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

SCHEDULE BI & BII
(Continued)

File Number: 23-TI-14174

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:

- A. 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.
- B. General Exceptions:
1. Rights or claims 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 or 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 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.

- C. Special Exceptions:
1. Any change in title occurring subsequent to the effective date of this Commitment and prior to the date of issuance of the final title policy.
 2. VESTED DRAINAGE RIGHT FORM, dated July 22, 1988, filed July 22 1988 @ 3:25 P.M. and recorded in Book 39 of Misc., page 216, Turner County Records, claims the right of drainage from the NE 1/4 Sec 32-97-52 through tile and ditch onto the SE 1/4 Sec 32-97-52.
 3. VESTED DRAINAGE RIGHT FORM, dated June 29, 1992, filed July 2, 1992 @ 8:30 A.M. and recorded in Book 42 of Misc., page 22, Turner County Records, claims the right of drainage from the SE 1/4 Sec 29-97-52 through open ditches onto the NE 1/4 Sec 32-97-52.

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SCHEDULE BI & BII
(Continued)

File Number: 23-TI-14174

4. REAL ESTATE TAXES for the year 2023 and subsequent years which constitute a lien but are not due and payable. Real Estate Taxes for the first half of 2022 payable by April 30, 2023 in the amount of \$1,727.66 are paid; the second half of the 2022 Real Estate Taxes payable by October 31, 2023 in the amount of \$1,727.66 are unpaid. Parcel ID#: 18000-09752-32100
5. THIS COMMITMENT shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.
6. Note: Coverage of this Commitment extends only to filings in the records of the Register of Deeds, Treasurer and Clerk of Courts of Turner County. Search was not made of filings in the Central Filing Office of the Secretary of State of South Dakota, and any filings in that office are not covered by this Commitment.

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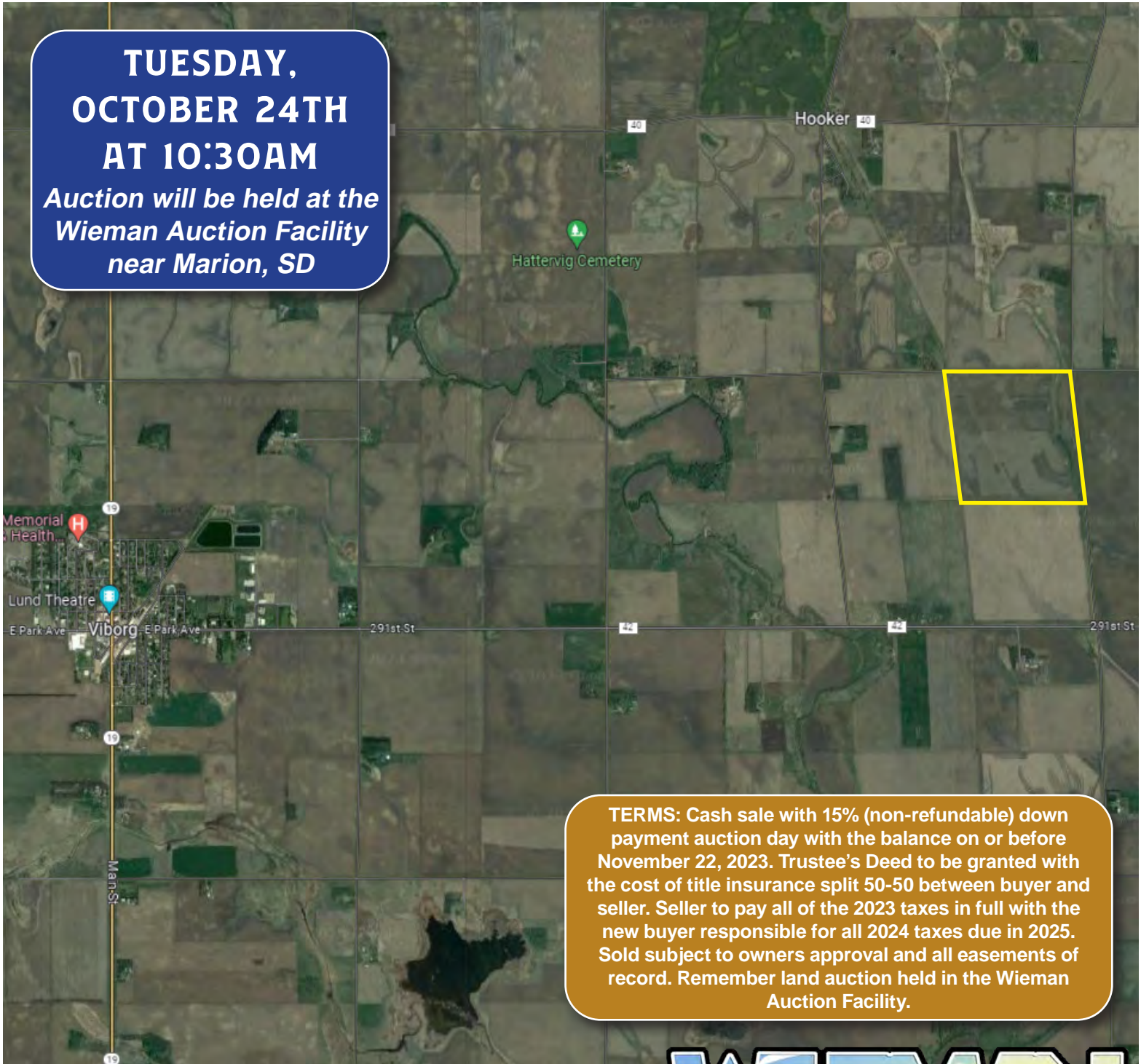


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TERMS: Cash sale with 15% (non-refundable) down payment auction day with the balance on or before November 22, 2023. Trustee's Deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Seller to pay all of the 2023 taxes in full with the new buyer responsible for all 2024 taxes due in 2025. Sold subject to owners approval and all easements of record. Remember land auction held in the Wieman Auction Facility.

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