

AUCTION

THURSDAY APRIL 20TH AT 10:00 A.M.

30 ACRES OF TURNER COUNTY LAND



OWNER:

ROLAND & JEAN SVARTOIEN



44628 SD HWY 44, Marion SD

web: wiemanauction.com

phone: 800-251-3111

fax: 605-648-3102

"WE SELL THE EARTH AND EVERYTHING ON IT!"

**30 ACRES OF TURNER COUNTY LAND
AT AUCTION**

We will offer the following real estate at auction at the Wieman Auction Facility located at 44628 SD Hwy 44 or from Marion SD, 1 south and ½ west on

THURSDAY, APRIL 20TH 10:00 AM

This tract is located at the Junction of 443rd Avenue and 287th Street from Meridian Corner (Jct Hwy 81 & 18), 4 East and 1 South.

This tract consists of 30 acres (more or less) subject to survey of unimproved farm land. The FSA Office indicates that it is all tillable except for waterway and dugout stock dam. The land lays generally level. The predominate soil types are Egan-Trent Silty Clay Loam, Egan-Wentworth Complex, Egan-Ethan Complex and Tetonka Silt Loam and it has a 87.9 soil productivity index rating.

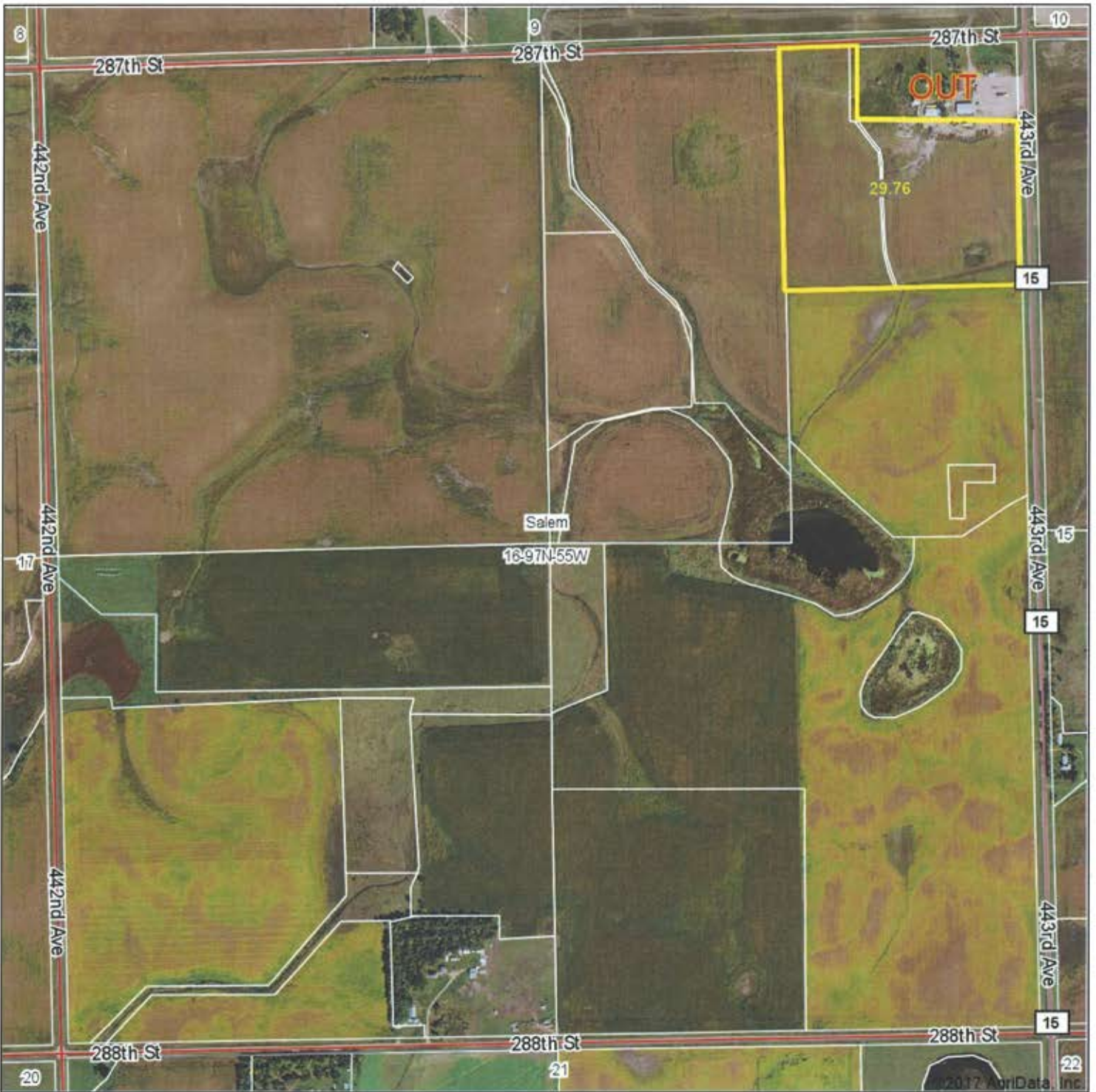
LEGAL: The NE ¼ of the NE ¼ less 8 acres in the NE corner of Section 16-97-55, Turner County, South Dakota.

TERMS: Cash Sale with a 10% nonrefundable downpayment and the balance on or before May 20, 2017. A Warranty Deed will be provided, title insurance will be utilized and the cost split 50/50 between buyer and seller on the Owner's Policy. Full possession granted for the 2017 crop year. Sellers to pay 2016 Real Estate Taxes due in 2017. Buyer to pay the 2017 RE Taxes due in 2018. Sold subject to confirmation by the owners. Wieman Land & Auction Co., Inc. is representing the sellers in this transaction. For buyers info packet, visit our website www.wiemanauktion.com or call 605-648-3111 and we will send one to you.

**ROLAND & JEAN SVARTOEN, OWNERS
605-327-3450**

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

Aerial Map



map center: 43° 13' 12.66, -97° 20' 54.93



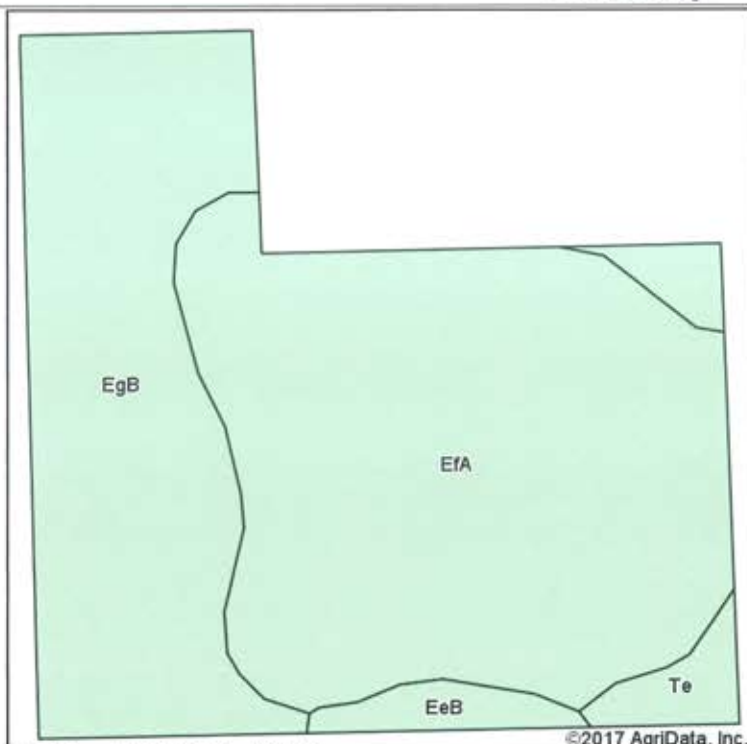
16-97N-55W
Turner County
South Dakota



Maps Provided By:
surety
CUSTOMIZED ONLINE MAPPING
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4/6/2017

Soils Map



State: **South Dakota**
 County: **Turner**
 Location: **16-97N-55W**
 Township: **Salem**
 Acres: **30.72**
 Date: **3/20/2017**



Maps Provided By

 CUSTOMIZED ONLINE MAPPING
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Soils data provided by USDA and NRCS.

Area Symbol: SD125, 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
EfA	Egan-Trent silty clay loams, 0 to 2 percent slopes	17.50	57.0%	Is	92	4.7	55	94	10.8	54	68	36	41
EgB	Egan-Wentworth complex, 2 to 6 percent slopes	11.63	37.9%	Ile	84								
EeB	Egan-Ethan complex, 2 to 6 percent slopes	0.80	2.6%	Ile	77	4	47	77	8.9	45	58	29	35
Te	Tetonka silt loam, 0 to 1 percent slopes	0.79	2.6%	IVw	56								
Weighted Average					87.7	2.8	32.6	55.6	6.4	31.9	40.2	21.3	24.3

*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

Dakota Homestead
315 South Phillips Avenue, Sioux Falls, SD 57104-6318

SCHEDULE A

Issued by: Turner County Title Company
255 North Main, P.O. Box 489
Parker, SD 57053

File No.: 17-TI-11155

Applicant Order No.:

Loan No.:

1. Effective date: March 27, 2017 at 08:00 AM

2. Policy or Policies to be issued:

Policy Amount

(a) Owner's Policy (ALTA Own. Policy (06/17/06))
Proposed Insured: (X) Standard Coverage () Extended Coverage

\$ 1,000.00

TO BE DETERMINED

(b) Loan Policy (ALTA Loan Policy (06/17/06))
Proposed Insured: () Standard Coverage () Extended Coverage

\$ 0.00

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:

Roland Svartoiien and Jean Svartoiien, husband and wife, as joint tenants with right of survivorship and not as tenants in common.

5. The land referred to in this Commitment is described as follows:

The Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) less 8 acres in the northeast corner of Section Sixteen (16), Township Ninety-Seven (97) North, Range Fifty-Five (55) West of the 5th P.M., Turner County, South Dakota.

**SCHEDULE B - SECTION I
REQUIREMENTS**

1. THE COMPANY requires a Warranty Deed be executed and recorded conveying title from Roland Svartoiien and Jean Svartoiien, husband and wife to the purchaser of said property.
2. THE COMPANY requires a Certificate of Survey or Platted Survey in order to determine the correct legal description of the property.
3. NOTE: Please contact the Turner County Assessor's Office in order to obtain the property tax break-out information.
4. NOTE: Please contact the Turner County Treasurer's Office for the amount needed in order to transfer the mobile home title and the taxes for same.
5. 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.
6. ALL open mortgages must be satisfied of record.
7. Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
8. Payment to Turner County Title for the Policy premiums, fees and/or charges.

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. 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, now 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 lien 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, minerals rights or related matters, including but not limited to oil, gas, coal and other hydrocarbons.
9. 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.
10. COLLATERAL REAL ESTATE MORTGAGE -180 DAY REDEMPTION- executed by Roland P. Svartoién and Jean M. Svartoién, as husband and wife, to Merchants State Bank, Viborg, SD, in the face amount of \$125,588.75, dated February 27, 2001, filed March 6, 2001 @ 8:30 A.M. and recorded in Book 161 of Mortgages, page 1108, Turner County Records. (North 28 Rods of the East 24 Rods of the NE ¼ NE ¼ Sec 16-97-55.)
11. ADDENDUM TO COLLATERAL REAL ESTATE MORTGAGE, dated February 8, 2006, filed February 9, 2006 @ 9:30 A.M. and recorded in Book 168 of Mortgages, page 375, Turner County Records, extending the five-year lien of said Mortgage in accordance with SDCL 44-8-26. (North 28 Rods of the East 24 Rods of the NE ¼ NE ¼ Sec 16-97-55.)
12. ADDENDUM TO COLLATERAL REAL ESTATE MORTGAGE, dated January 12, 2011, filed January 14, 2011 @ 8:30 A.M. and recorded in Book 174 of Mortgages, page 567, Turner County Records, extending the five-year lien of said Mortgage in accordance with SDCL 44-8-26. (North 28 Rods of the East 24 Rods of the NE ¼ NE ¼ Sec 16-97-55.)
13. ADDENDUM TO COLLATERAL REAL ESTATE MORTGAGE, dated January 27, 2016, filed February 1, 2016 @ 2:00 P.M. and recorded in Book 180 of Mortgages, page 313, Turner County Records, extending the five-year lien of said Mortgage in accordance with SDCL 44-8-26. (North 28 Rods of the East 24 Rods of the NE ¼ NE ¼ Sec 16-97-55.)

SCHEDULE B - SECTION II
EXCEPTIONS
(Continued)

14. MORTGAGE -180 DAY REDEMPTION- from Roland Svartoiien, aka Roland P. Svartoiien and Jean Svartoiien, aka Jean M. Svartoiien, husband and wife, to Administrator of the Small Business Administration, Fresno, CA, in the face amount of \$183,900.00, dated May 14, 2003, filed May 27, 2003 @ 9:35 A.M. and recorded in Book 164 of Mortgages, page 284, Turner County Records.
15. MORTGAGE -180 DAY REDEMPTION- from Roland Svartoiien, aka Roland P. Svartoiien and Jean Svartoiien, aka Jean M. Svartoiien, husband and wife, to Administrator of the Small Business Administration, Fresno, CA, in the face amount of \$24,300.00, dated May 14, 2003, filed May 27, 2003 @ 9:35 A.M. and recorded in Book 164 of Mortgages, page 285, Turner County Records.
16. COLLATERAL REAL ESTATE MORTGAGE -180 DAY REDEMPTION- executed by Roland P. Svartoiien and Jean M. Svartoiien, as husband and wife, to Merchants State Bank, Viborg, SD, in the face amount of \$995,600.00, dated April 19, 2011, filed April 21, 2011 @ 8:30 A.M. and recorded in Book 174 of Mortgages, page 896, Turner County Records. (NE ¼ NE ¼ except the North 28 Rods of the East 24 Rods Sec 16-97-55. and the North 28 Rods of the East 24 Rods of the NE ¼ NE ¼ Sec 16-97-55.)
17. ADDENDUM TO COLLATERAL REAL ESTATE MORTGAGE, dated March 22, 2016, filed March 24, 2016 @ 8:30 A.M. and recorded in Book 180 of Mortgages, page 446, Turner County Records, extending the five-year lien of said Mortgage in accordance with SDCL 44-8-26. (NE ¼ NE ¼ Sec 16-97-55 and the North 28 Rods of the East 24 Rods of the NE ¼ NE ¼ Sec 16-97-55.)
18. ADDENDUM TO COLLATERAL REAL ESTATE MORTGAGE, dated March 29, 2016, filed March 31, 2016 @ 8:30 A.M. and recorded in Book 180 of Mortgages, page 472, Turner County Records, extending the five-year lien of said Mortgage in accordance with SDCL 44-8-26. (NE ¼ NE ¼ Sec 16-97-55. and the North 28 Rods of the East 24 Rods of the NE ¼ NE ¼ Sec 16-97-55.)
19. COLLATERAL REAL ESTATE MORTGAGE -180 DAY REDEMPTION- executed by Roland Paul Svartoiien and Jean Marie Svartoiien, as husband and wife, to Merchants State Bank, Viborg, SD, in the face amount of \$500,000.00, dated March 28, 2014, filed April 3, 2013 @ 8:30 A.M. and recorded in Book 178 of Mortgages, page 440, Turner County Records. (North 28 Rods of the East 24 Rods of the NE ¼ NE ¼ Sec 16-97-55.)
20. CONTRACT, dated September 16, 1955, filed November 7, 1955 @ 2:30 P.M. and recorded in Book 26 of Misc., page 364, Turner County Records, allowing the owners of the S 1/2 SE 1/4 of Sec 9-97-55 to construct and maintain across the N 1/2 NE 1/4 and SE 1/4 NE 1/4 of Sec 16-97-55 an open ditch or drain of sufficient size to drain the S 1/2 SE 1/4 of Sec 9-97-55 for cultivation.
21. EASEMENT, dated May 1, 1961, filed November 22, 1961 @ 3:00 P.M. and recorded in Book 1 of Easements, page 113, Turner County Records, granting to Hutchinson County, SD, a permanent easement and right-of-way on a strip of land 8.25 feet wide lying parallel to and adjacent to the regular public road right-of-way along the east side of the NE 1/4 NE 1/4 Sec 16-97-55.
22. EASEMENT, dated May 13, 1977, filed May 23, 1979 @ 8:30 A.M. and recorded in Book 33 of Misc., page 562, Turner County Records, granting to B-Y Water District, its successors and assigns, a perpetual easement to construct, operate and maintain a rural water system over, under, across and through the NE 1/4 NE 1/4 of Sec 16-97-55.

SCHEDULE B - SECTION II
EXCEPTIONS
(Continued)

23. VESTED DRAINAGE RIGHT FORM, dated June 22, 1992, filed June 24, 1992 @ 9:50 A.M. and recorded in Book 41 of Misc., page 423, Turner County Records, claims the right of drainage of surface water from the NW 1/4 NW 1/4 of Sec 15-97-55 through a ditch onto the NE 1/4 of Sec 16-97-55.
24. VESTED DRAINAGE RIGHT FORM, dated February 12, 1992, filed February 12, 1992 @ 2:15 P.M. and recorded in Book 40 of Misc., page 742, Turner County Records, which claims the right of drainage of surface water from the NE 1/4 NE 1/4 of Sec 16-97-55 through ditches onto the SE 1/4 NE 1/4 of Sec 16-97-55.
25. VESTED DRAINAGE RIGHT FORM, dated January 29, 1992, filed February 12, 1992 @ 2:15 P.M. and recorded in Book 40 of Misc., page 746, Turner County Records, which claims the right of drainage of surface water from the NW 1/4 SW 1/4 and SW 1/4 NW 1/4 of Sec 15-97-55 through ditches onto the E 1/2 NE 1/4 of Sec 16-97-55.
26. ANYTHING to the contrary herein notwithstanding, the land described in Schedule A of this commitment shall not be deemed to include any "manufactured house", house trailer or mobile home standing on the premises. (North 28 Rods of the East 24 Rods of the NE 1/4 NE 1/4 Sec 16-97-55.)
27. NOTE: Please contact the Turner County Treasurer's Office for the amount needed in order to transfer the mobile home title and the taxes for same.
28. The legal description of the property described on Schedule A hereof is ambiguous; therefore, the Company will not cover any claims or liabilities arising from the utilization of the legal description of the insured land as described on Schedule A hereof, including, but not limited to, any discrepancies or conflicts regarding shortages in area or acreage, the locations of boundary lines or the dimensions and location of the land itself, any encroachments on to or off of the property, any overlapping of the boundary lines, any gaps or gores between adjacent land created or present, and/or any other matters that an accurate legal survey and inspection of the property would disclose.
29. 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.,
30. REAL ESTATE TAXES for the year 2017 and subsequent years which constitute a lien but are not due and payable. Real Estate Taxes for the year 2016 payable in 2017 in the total amount of \$1,039.24 are unpaid on the property described as the NE 1/4 NE 1/4 except the North 28 Rods of the East 24 Rods Sec 16-97-55. Parcel #: 15000-09755-161-04
31. REAL ESTATE TAXES for the year 2017 and subsequent years which constitute a lien but are not due and payable. Real Estate Taxes for the year 2016 payable in 2017 in the total amount of \$2,719.54 are unpaid on the property described as the North 28 Rods of the East 24 Rods of the NE 1/4 NE 1/4 Sec 16-97-55. Parcel #: 15000-09755-161-05
32. 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.

AUCTION

THURSDAY APRIL 20TH AT 10:00 A.M.



Terms and Conditions: Cash Sale with a 10% nonrefundable downpayment and the balance on or before May 20, 2017. A Warranty Deed will be provided, title insurance will be utilized and the cost split 50/50 between buyer and seller on the Owner's Policy. Full possession granted for the 2017 crop year. Sellers to pay 2016 Real Estate Taxes due in 2017. Buyer to pay the 2017 RE Taxes due in 2018. Sold subject to confirmation by the owners. Wieman Land & Auction Co., Inc. is representing the sellers in this transaction. For buyers info packet, visit our website www.wiemanauktion.com or call 605-648-3111 and we will send one to you.