

AUCTION

THURSDAY, OCTOBER 6TH AT 10:30 A.M.

39.5 ACRES OF CLEAR LAKE TOWNSHIP, MINNEHAHA COUNTY LAND
GREAT LOCATION FOR NEW HOME SITE LOCATED ON AN OIL ROAD ALL
IN GRASS



OWNER:

LYLE & MARY LOU ZIMMER



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!"

**39.5 ACRES OF CLEAR LAKE TOWNSHIP, MINNEHAHA COUNTY LAND
GREAT LOCATION FOR NEW HOME SITE LOCATED ON AN OIL ROAD ALL IN GRASS AT AUCTION**

We will offer the following land for sale at public auction in the Humboldt Community Center located at 201 S. Main St. Humboldt, SD on:

**THURSDAY OCTOBER 6TH
10:30 A.M.**

If you have been searching for a large acreage to build your dream home on that has room for horses or livestock come check out this property only minutes from Sioux Falls. This is a blank slate waiting for you to develop whatever you can imagine. Great views, great location, and a great opportunity. Come take a look!

LEGAL: The SW ¼ of the SW ¼ Section 23, 103-52 Minnehaha County, SD. Except Lot H-1 contained therein.

LOCATION: From Humboldt, SD go 4-miles north on Hwy. 19 turn 1-mile east on CR-122 north side of the road or at the junction of CR-122 and 458th Ave.

- 39.5 acres all in native grasses. One building eligibility will transfer to the new buyer.
- Property has several choice high spots for new home site that would allow for a walkout basement. Property has wooded draws to help attract and maintain wildlife.
- Annual Taxes are \$1,074.38. Bordered to the south by CR-122 hard surfaced highway.
- Former road to the west was vacated in 1998. Rural Water line located in road right of way.
- Maps, pictures, additional info, and title insurance available in buyers packet.

TO INSPECT THE PROPERTY: We invite you to inspect the property at your convenience or you may visit www.wiமானauktion.com or contact 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 October 31, 2016. Warranty deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Seller to pay all of the 2016 taxes. Property will be sold subject to owners approval and all easements and restrictions of record. Remember auction to be held indoors at the Humboldt Community Center.

**LYLE & MARY LOU ZIMMER –OWNERS
605-363-3104**

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

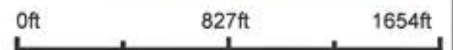
Aerial Map



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map center: 43° 42' 38.29, -97° 2' 24.22

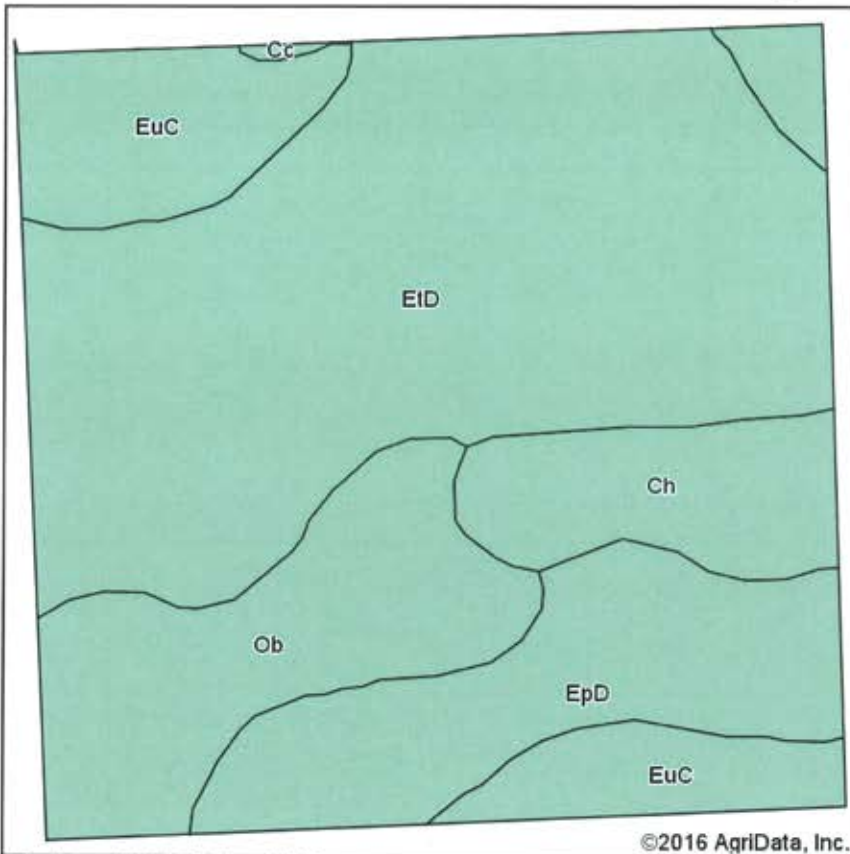


23-103N-52W
Minnehaha County
South Dakota



8/31/2016

Soils Map



Soils data provided by USDA and NRCS.



State: **South Dakota**
 County: **Minnehaha**
 Location: **23-103N-52W**
 Township: **Clear Lake**
 Acres: **39.5**
 Date: **8/31/2016**



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
EID	Ethan-Clarno loams, 9 to 15 percent slopes	19.17	48.5%	Vle	39	2.6	27	40	4.2	24	34	14	21
Ob	Obert silty clay loam, 0 to 1 percent slopes	5.93	15.0%	Vw	29		4	29	3.3	17	5	9	1
EpD	Ethan-Betts loams, 9 to 15 percent slopes	5.84	14.8%	Vle	33	2.3	23	32	3.4	19	28	11	18
EuC	Ethan-Egan complex, 6 to 9 percent slopes	4.71	11.9%	IVe	61	3.2	39	64	6.7	37	49	23	31
Ch	Chaska loam, channeled	3.78	9.6%	Vlw	43	0.5	9	40	4.6	24	11	14	6
Cc	Chancellor-Tetonka complex, 0 to 1 percent slopes	0.07	0.2%	IIw	68	1.6	32	76	8	45	41	28	22
Weighted Average					39.7	2	22.7	40.1	4.3	23.8	28.4	13.9	17.3

Area Symbol: SD099, Soil Area Version: 18

*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

**LYLE & MARY LOU ZIMMER
LAND AUCTION
ADDITIONAL INFORMATION**

MINNEHAHA COUNTY HIGHWAY DEPT. 605-367-4317

NEW BUYER MUST APPLY FOR AN APPROACH PERMIT. DEPARTMENT WOULD ALLOW FOR AN APPROACH ON A LOCATION THAT THEY APPROVE THAT DOES NOT CREATE A SAFETY CONCERN. DRIVEWAY APPROACH CANNOT BE AT THE BOTTOM OF A HILL OR CREATE A DRAINAGE ISSUE.

MINNEHAHA COUNTY RURAL WATER DISTRICT 605-428-3374

\$2,900 COVERS THE MEMBERSHIP FEE AND A 100 FT SERVICE FROM THE MAIN LINE WITH METER PIT. ADDITIONAL COSTS FOR BRINGING WATER FROM METER PIT TO ANY OR ALL IMPROVEMENTS WOULD BE ADDED TO THIS COST. ALL BUYERS ARE ENCOURAGED TO CONTACT THEM TO GET AN ESTIMATE.

PROPERTY HAS 2 TRANSMISSION TOWERS LOCATED ON THE PROPERTY. UNITED STATES GOVERNMENT TOOK AN EASEMENT FOR THE TOWERS AND LINE ON JAN. 22ND 1963.

PROPERTY HAS A MUTUAL ACCESS AGREEMENT FILED SEPT. 8TH 1998 BETWEEN LYLE & MARY LOU ZIMMER AND RANDALL & LINNETTE ALBERS. COPY OF EASEMENT IS ATTACHED. ALLOWS FOR ACCESS ON VACATED ROAD GOING NORTH 330' AND 30' WIDE.

**PROPERTY HAS NEVER BEEN ENROLLED IN ANY FSA PROGRAMS
THIS IS ALL INFORMATION AVAILABLE ON THE PROPERTY!**

Tract Number: 13870		Description:					FAV/WR History
BIA Range Unit Number:							
HEL Status: HEL Determinations not complete							
Wetland Status: Tract contains a wetland or farmed wetland							
WL Violations: None							
Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP	
40.64	0.0	0.0	0.0	0.0	0.0	0.0	
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP	Native Sod		
0.0	0.0	0.0	0.0	0.0	0.0		
Owners:							
Other Producers: None							



United States
Department of
Agriculture

Minnehaha County, South Dakota



Common Land Unit Tract Boundary
 PLSS
 Rangeland

Wetland Determination Identifiers

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



2016 Program Year

Map Created August 29, 2016

Farm 8283

23 -103N -52W

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).

Prepared by: CHRISTINA

SCHEDULE A

COMMITMENT

Application No. SF87918

GETTY ABSTRACT & TITLE COMPANY
5800 S Remington Pl, Ste #120
SIOUX FALLS, SD 57108
(605) 336-0490 FAX (605) 336-2837

Agent for: STEWART TITLE GUARANTY COMPANY

1. Commitment Date: August 15, 2016 at 07:30 AM.
2. Policy (or Policies) to be issued:
 - (a) Owner's Policy (ALTA Own. Policy (6/17/06)) Policy Amount \$ TBD
Proposed Insured:

TO BE DETERMINED
 - (b) Loan Policy (ALTA Loan Policy (6/17/06)) Policy Amount \$
Proposed Insured:
 - (c) Policy Amount \$
Proposed Insured:
3. Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by:

LYLE ZIMMER AND MARY LOU ZIMMER HUSBAND AND WIFE, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
4. The land referred to in the Commitment is described as follows:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4 SW1/4) OF SECTION 23, TOWNSHIP 103 NORTH, RANGE 52 WEST, OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA; EXCEPT LOT H-1 CONTAINED THEREIN

Prepared for:
TO BE DETERMINED

SCHEDULE B - SECTION II

COMMITMENT

Application No. SF87918

EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. STANDARD EXCEPTIONS:

- (a) 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.
- (b) Rights or claims of parties in possession not shown by the public records.
- (c) Easements, or claims of easements, where no notice thereof appears in the public records.
- (d) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
- (e) 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

2. Taxes or special taxes and assessments which are not shown as existing liens by the public records.

General and special taxes and assessments as hereafter listed, if any, shown to be liens against tax parcel number 18172 (all amounts shown being exclusive of interest, penalties and costs).

2015 Real Estate Taxes, due and payable in 2016, in the full sum of \$1,074.38, are first 1/2 paid. Second 1/2 due but not delinquent.

3. Transmission Line Right-of-Way Easement in favor of East River Electric Power Cooperative, Inc., by instrument dated JANUARY 26, 1951, filed for record SEPTEMBER 13, 1951, at 9:00 A.M., and recorded in 48 of Misc., on page(s) 557. Said Easement to construct, reconstruct, repair, operate and maintain an electric transmission or system on or under SE1/4 OF 22, AND W1/2SW1/4 23-103-52. For further details refer to the recorded instrument.
4. CERTIFIED COPY OF JUDGMENT ON DECLARATION OF TAKING filed for record JANUARY 22, 1963 at 10:00 A.M., and recorded in Book 78 of Misc., on page(s) 77. Said Easement IN FAVOR OF THE UNITED STATES OF AMERICA, over and across the SW1/4 SW1/4 and the SE1/4 of 22-103-52. For further details refer to the recorded instrument.
5. TERMS, CONDITIONS AND STIPULATIONS OF MUTUAL ACCESS EASEMENT AGREEMENT filed for record SEPTEMBER 8, 1998 at 3:30 p.m., and recorded in Book 233 of Misc., on page(s) 595. For further details refer to the recorded instrument.
6. Subject to Section-Line Highways by Operation of Law, SDCL 31-18-1.
7. NOTE: This Commitment is issued for an amount "TO BE DETERMINED". Until such time as the Company is informed of and accepts the liability amount for the proposed policy to be issued, its liability under this Commitment is limited to \$1,000.00. The applicant agrees and understands that by accepting this Commitment it accepts the limit of liability imposed for itself and any person relying on this Commitment.

MUTUAL ACCESS EASEMENT AGREEMENT

THIS MUTUAL ACCESS EASEMENT AGREEMENT, made and entered into on the 31st day of August, 1998, by and between Randall R. Albers and Linnette K. Albers, husband and wife, of Minnehaha County, South Dakota, hereinafter referred to as "First Party", and Lyle Zimmer and Mary Lou Zimmer, husband and wife, of Minnehaha County, South Dakota, hereinafter referred to as "Second Party",

WITNESSETH:

WHEREAS, First Party is the owner of real property described as the Southeast Quarter of the Southeast Quarter of Section 22, Township 103 North, Range 52 West of the 5th P.M., Minnehaha County, South Dakota; and

WHEREAS, Second Party is the owner of real property described as the Southwest Quarter of the Southwest Quarter of Section 23, Township 103 North, Range 52 West of the 5th P.M., Minnehaha County, South Dakota; and

WHEREAS, both parties desire access to their property from the South along the joint property line of the parties hereto;

NOW THEREFORE, in mutual consideration thereof, the parties hereto agree as follows:

1. First Party grants to Second Party an easement right of access over and upon the real property described as follows:

The South 330 feet of the East 30 Feet of Southeast Quarter of the Southeast Quarter of Section 22, Township 103 North, Range 52 West of the 5th P.M., Minnehaha County, South Dakota.

which easement is hereby given for the purpose of ingress and egress of Second Party, their heirs and assigns forever.

2. Second Party grants to First Party as easement right of access over and upon the real property described as follows:

The South 330 Feet of the West 30 Feet of the Southwest Quarter of the Southwest Quarter of Section 23, Township 103 North, Range 52 West of the 5th P.M., Minnehaha County, South Dakota.

which easement is hereby given for the purpose of ingress and egress of First Party, their heirs and assigns forever.

3. The easements granted herein are intended to be permanent in nature and to run with the real property as hereinbefore described, in favor of First Party and

Second Party herein, as their interests appear, and their successors and assigns forever.

4. For the purposes of farming and agricultural uses, the First Party and the Second Party shall equally maintain the access and each party shall each be responsible for 50% of the cost of such maintenance. Should a party elect to improve the access to a state or condition greater than is necessary for farming or agricultural related purposes (such as residential or commercial uses), such party shall solely be responsible for any additional cost in the improvement or maintenance of the easement.

5. In the event that the real property specifically described in this Mutual Access Agreement becomes flooded or is otherwise temporarily or permanently impossible to utilize or employ for access, the parties agree that other routes shall be determined and made available as is reasonable under the circumstances.

IN WITNESS WHEREOF, the parties hereto have signed their names to this Mutual Access Easement Agreement the day and year first shown above.

Randall R. Albers
RANDALL R. ALBERS

Lynette K. Albers
LINETTE K. ALBERS

Lyle Zimmer
LYLE ZIMMER

Mary Lou Zimmer
MARY LOU ZIMMER



STATE OF SOUTH DAKOTA)
)SS
COUNTY OF MINNEHAHA)

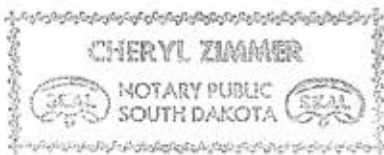
SOUTH DAKOTA, MINNEHAHA COUNTY
Recorded SEP 08 1998 at 15:30
Book 233 of Misc Page 595
MARLENE WOLFE, REGISTER OF DEEDS
By EB Deputy

On the 31st day of August, 1998, before me, the undersigned officer, personally appeared Randall R. Albers, Lynette K. Albers, Lyle Zimmer and Mary Lou Zimmer, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

Cheryl Zimmer
NOTARY PUBLIC - SOUTH DAKOTA

My Commission Expires: 3-18-99
(SEAL)



PREPARED BY:
Thomas J. Johnson
P.O. Box 899
Sioux Falls, SD 57101
605/335-1778

AUCTION

THURSDAY, OCTOBER 6TH AT 10:30 A.M.

**39.5 ACRES OF CLEAR LAKE TOWNSHIP, MINNEHAHA COUNTY LAND
GREAT LOCATION FOR NEW HOME SITE LOCATED ON AN OIL ROAD ALL
IN GRASS**



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