

Turner County

FARMLAND AUCTION

**160
Acres**

Thursday

November 8th

at 10:30 AM

OWNER:

POPPENS FARMS LLC



44628 SD HWY 44, Marion SD

phone: 800-251-3111

web: wiemanauction.com

fax: 605-648-3102

"We Sell The Earth And Everything On It!"

2 – 10 ACRE BUILDING ACREAGES – 140 ACRES UNIMPROVED FARM LAND OR 160 ACRES UNIMPROVED AUCTION

We will offer the following Tracts of Land at auction on the farm located from west edge of Sioux Falls, SD (41st Street & Tea/Ellis Road), 3 miles West, 2 miles South, 3 miles West & ¼ mile South or from Tea SD, 2 miles West, 3 miles North, 3 miles West and ¾ South on

THURSDAY, NOV. 8TH 10:30
All tracts sold from land site location

TRACT # 1 10 ACRE UNIMPROVED ACREAGE

This 10 Acre Unimproved Acreage with a building eligibility is a perfect location for your new home only minutes from Sioux Falls City Limits. This tract has some roll to it with possibilities for walkout basement. Rural Water is available from South Lincoln County Rural Water with membership fee and hookup fee. We invite you to view this tract at your convenience. Acres and description subject to survey.

LEGAL: 10 Acres in the SW Corner of the SW ¼ of Section 13-100-52 Turner County SD. Subject to Survey

TRACT # 2 10 ACRE UNIMPROVED ACREAGE

This 10 Acre Unimproved Acreage with a building eligibility is a perfect location for a new home that is only minutes from Sioux Falls City Limits. This tract has some roll to it but has a lot of possibilities. South Lincoln County Rural Water is available with membership fee and hookup fee. Please view this tract at your convenience. Acres and description subject to survey.

LEGAL: Approximately 10 Acres in SW ¼ Section 13-100-52 Turner County SD. Subject to survey.

TRACT # 3 140.5 ACRES UNIMPROVED FARM LAND

This Tract consists of 140.5 Acres of Unimproved Farm Land with 2 housing eligibilities. The FSA office indicates that this tract has 136. acres tillable and balance in low ground, waterways and road right of way. The predominate soil types are Egan-Ethan Complex, Egan-Wentworth Complex, Ethan-Egan Complex, Huntimer Silty Clay Loam and Worthing Silty Clay Loam and it has a 72.7 soil productivity index rating. The land lays level to gently rolling with several waterways passing through it. Acres and description subject to survey. This tract has a Dakota Access Pipeline easement which cuts across the NE corner of this property.

LEGAL: The SW ¼ except 20 Acres in the SW Corner of Section 13-100-52 Turner County SD.

TRACT # 4 160 ACRES UNIMPROVED
(Combination of Tracts 1 & 2 & 3)

Tract consists of 160 Acres (+ or -) of Unimproved Farm Land w/4 housing eligibilities. The annual real estate taxes are \$ 4,058.86. Properties are located in the Lennox School District. We invite you to examine these tracts of land at your convenience. This tract has a Dakota Access Pipeline easement which cuts across the NE corner of this property.

LEGAL: The SW ¼ of Section 13-100-52 Turner County SD.

TERMS: **TRACT # 1 & # 2:** Cash Sale with a 20% non-refundable down payment the day of sale and the balance on December 18, 2018. **TRACT # 3:** Cash Sale with a 20% non-refundable down payment the day of sale and the balance on January 4, 2019.

TRACT #4: Cash Sale with 20% non-refundable down payment the day of sale and a payment totaling 50% for an undivided ½ interest on December 18, 2018 and the balance of the remaining ½ interest on January 4, 2019. The buyer will receive Warranty Deed and title on each undivided one-half interest on the land at each closing date. Title Insurance will be utilized with cost split 50/50 between buyer and seller. Full possession for 2019 crop year granted upon final settlement. Sellers will pay all 2018 RE Taxes. Sold subject to confirmation by the owner. Wieman Land & Auction Co., Inc. is representing the sellers in this transaction.

For Buyers Info Packet visit our website at www.wiemanauktion.com or call 800-251-3111 and we will send one to you.

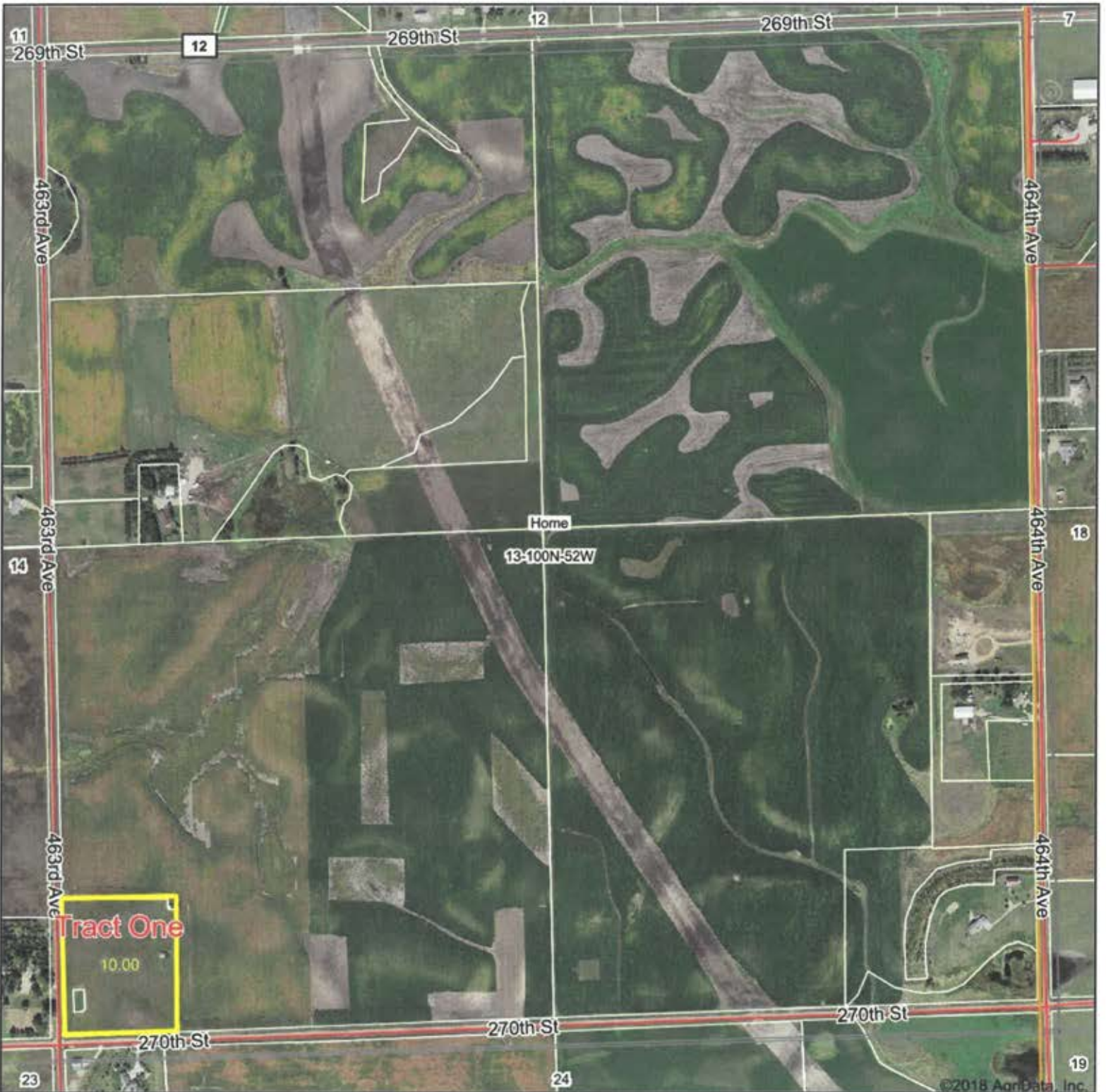
POPPENS FARMS LLC, OWNER
JIM POPPENS
605-359-2485

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

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



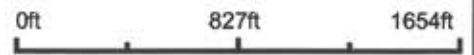
Aerial Map



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map center: 43° 28' 57.2, -96° 56' 4.7

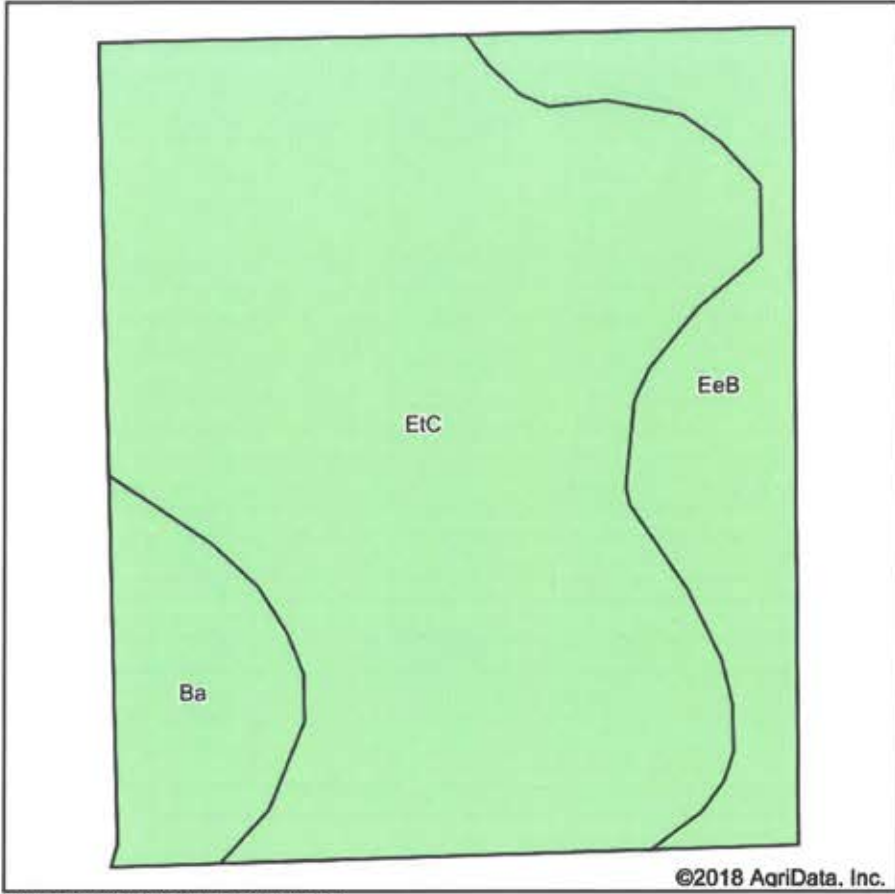


13-100N-52W
Turner County
South Dakota



10/1/2018

Soils Map



State: **South Dakota**
 County: **Turner**
 Location: **13-100N-52W**
 Township: **Home**
 Acres: **10**
 Date: **10/1/2018**



Area Symbol: SD125, Soil Area Version: 19

Code	Soil Description	Acres	Percent of field	Non-Irr Class *c	Productivity Index
Etc	Ethan-Egan complex, 5 to 9 percent slopes	7.32	73.2%	Ive	67
EeB	Egan-Ethan complex, 2 to 6 percent slopes	1.71	17.1%	Ile	77
Ba	Baltic silty clay loam	0.97	9.7%	Vw	37
Weighted Average					61.4

*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

Aerial Map



Maps Provided By:



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map center: 43° 28' 57.2, -96° 56' 4.7

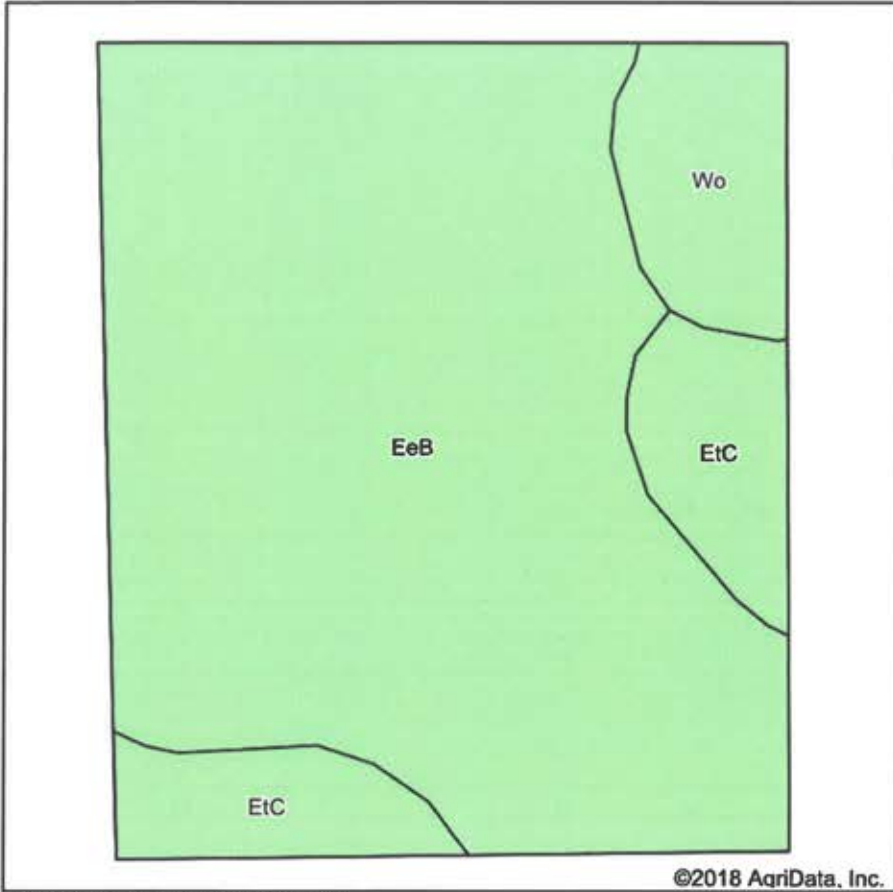


13-100N-52W
Turner County
South Dakota



10/1/2018

Soils Map



Soils data provided by USDA and NRCS.



State: **South Dakota**
 County: **Turner**
 Location: **13-100N-52W**
 Township: **Home**
 Acres: **10**
 Date: **10/1/2018**



Maps Provided By:



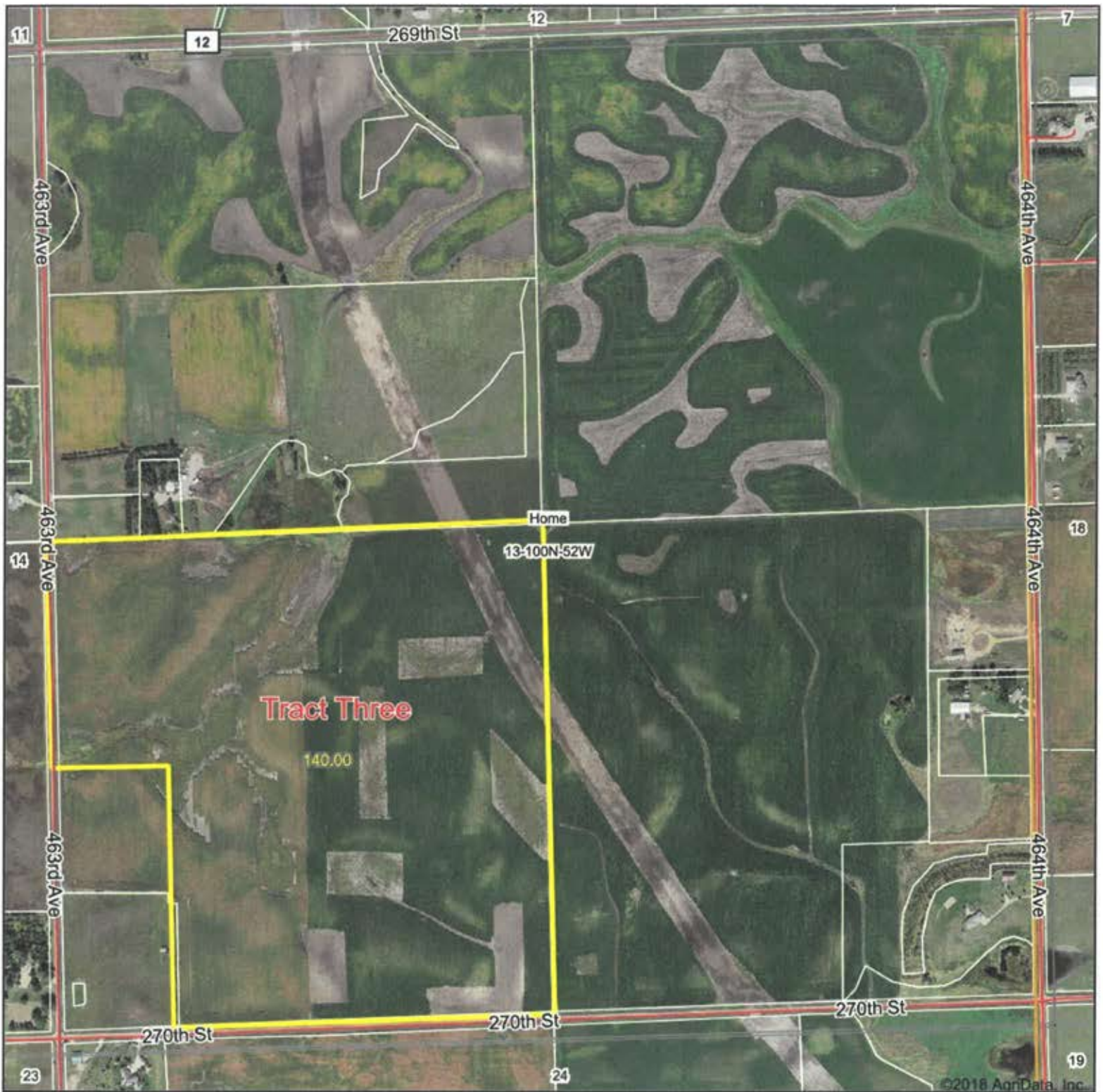
Area Symbol: SD125, Soil Area Version: 19

Code	Soil Description	Acres	Percent of field	Non-irr Class *c	Productivity Index
EeB	Egan-Ethan complex, 2 to 6 percent slopes	7.94	79.4%	Ile	77
EtC	Ethan-Egan complex, 5 to 9 percent slopes	1.26	12.6%	IVe	61
Wo	Worthing silty clay loam, 0 to 1 percent slopes	0.80	8.0%	Vw	30
Weighted Average					71.2

*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

Aerial Map



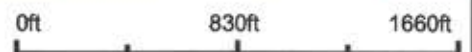
Maps Provided By:



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map center: 43° 28' 56.94, -96° 56' 4.44

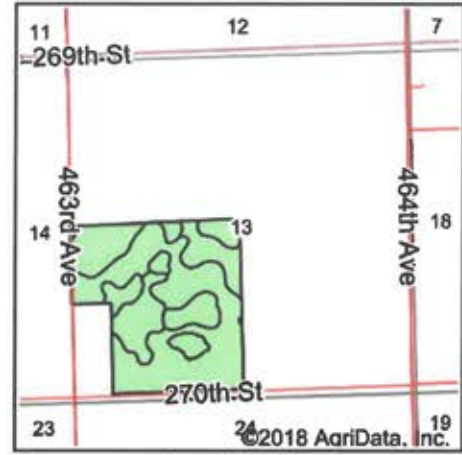
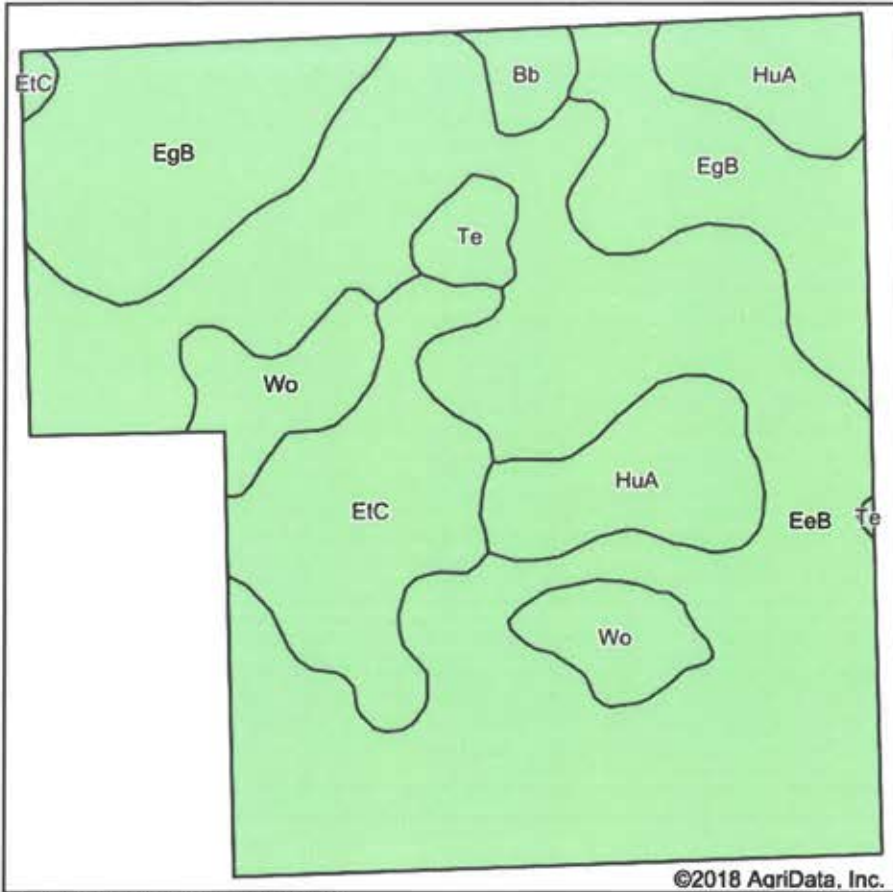


13-100N-52W
Turner County
South Dakota



10/1/2018

Soils Map



State: **South Dakota**
 County: **Turner**
 Location: **13-100N-52W**
 Township: **Home**
 Acres: **140**
 Date: **10/1/2018**



Area Symbol: SD125, Soil Area Version: 19

Code	Soil Description	Acres	Percent of field	Non-Irr Class *c	Productivity Index
EeB	Egan-Ethan complex, 2 to 6 percent slopes	73.83	52.7%	Ile	77
EgB	Egan-Wentworth complex, 2 to 6 percent slopes	26.16	18.7%	Ile	84
EtC	Ethan-Egan complex, 5 to 9 percent slopes	14.78	10.6%	IVe	67
HuA	Huntimer silty clay loam, 0 to 2 percent slopes	12.79	9.1%	Iw	85
Wo	Worthing silty clay loam, 0 to 1 percent slopes	8.41	6.0%	Vw	30
Te	Tetonka silt loam, 0 to 1 percent slopes	2.10	1.5%	IVw	56
Bb	Baltic silty clay loam, ponded	1.93	1.4%	VIIIw	10
Weighted Average					73.7

*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

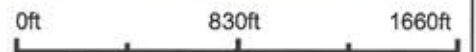
Aerial Map



©2018 AgriData, Inc.



map center: 43° 28' 57.07, -96° 56' 4.79



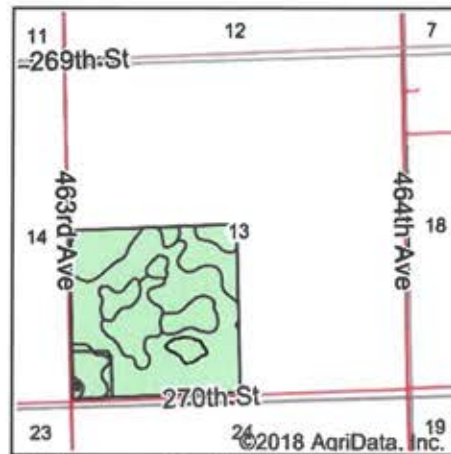
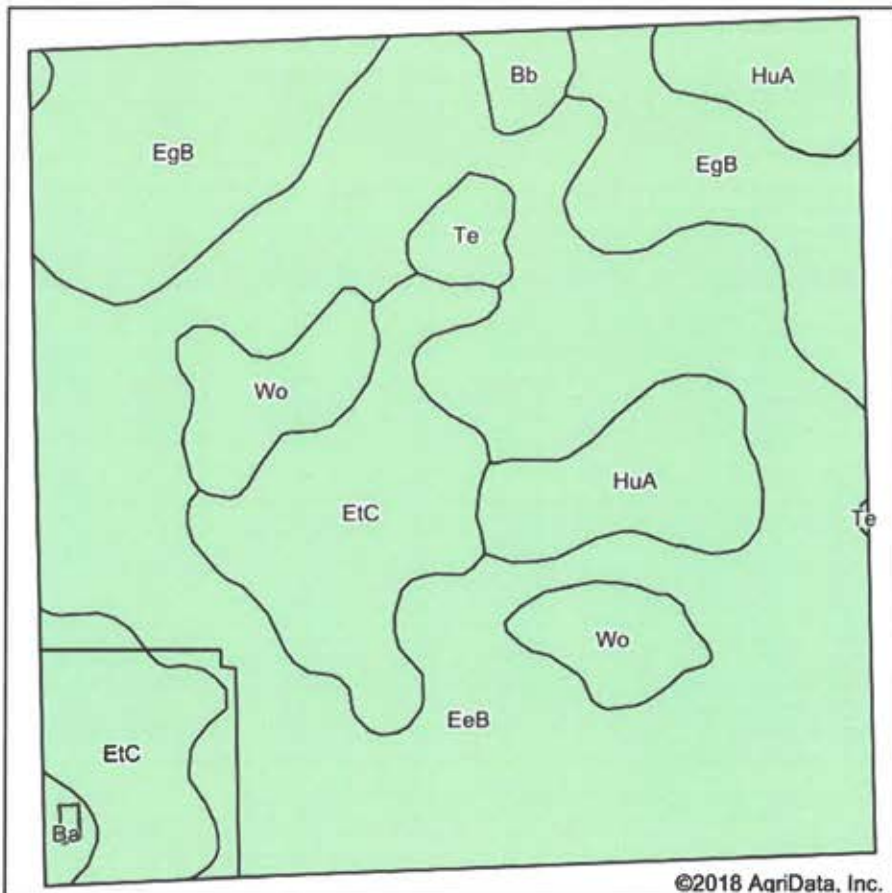
13-100N-52W
Turner County
South Dakota



10/1/2018

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

Soils Map



State: **South Dakota**
 County: **Turner**
 Location: **13-100N-52W**
 Township: **Home**
 Acres: **155.48**
 Date: **10/1/2018**



Maps Provided By:

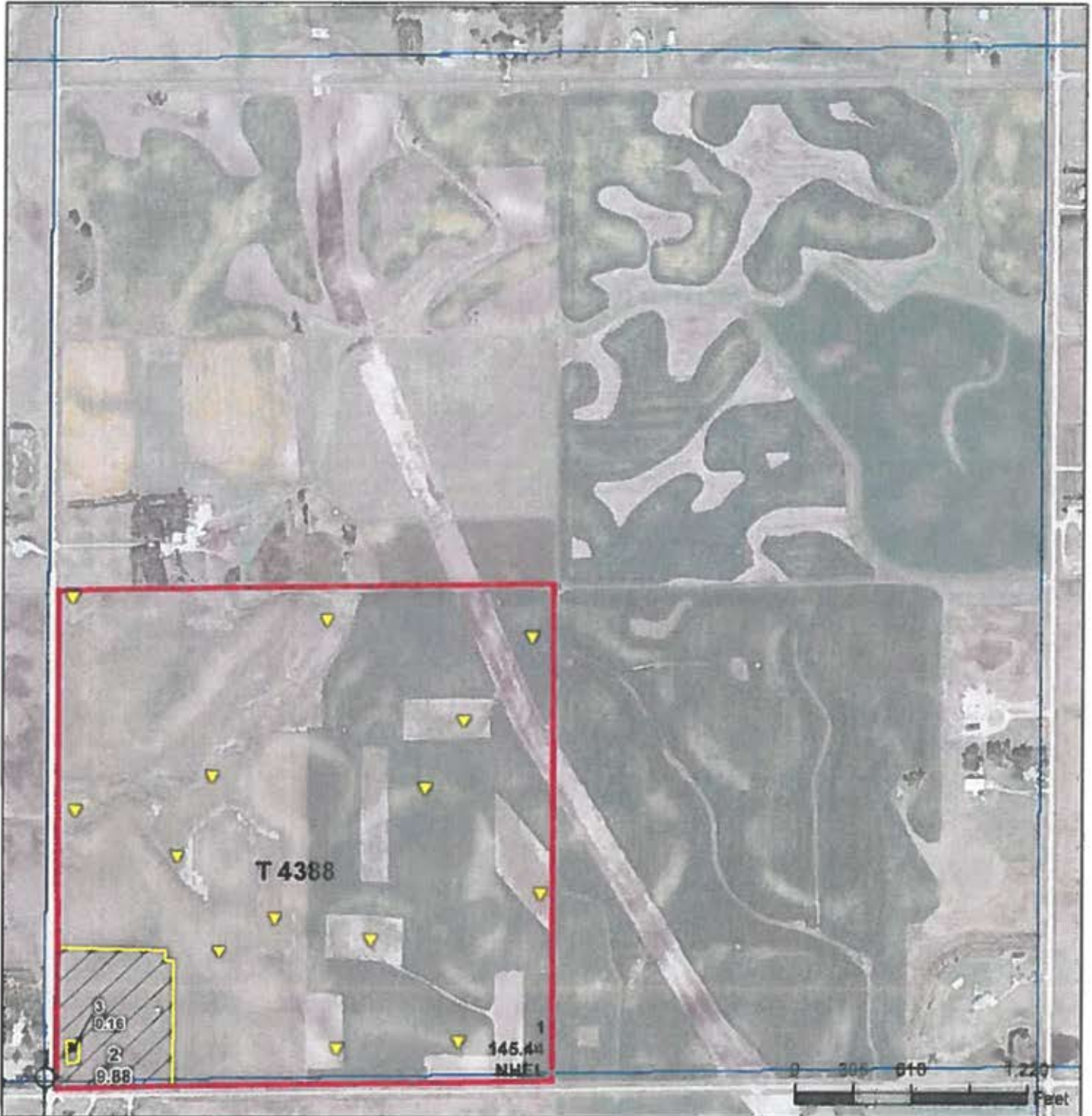


Area Symbol: SD125, Soil Area Version: 19




Code	Soil Description	Acres	Percent of field	Non-Irr Class *c	Productivity Index
EeB	Egan-Ethan complex, 2 to 6 percent slopes	80.83	52.0%	Ile	7.0
EgB	Egan-Wentworth complex, 2 to 6 percent slopes	25.27	16.3%	Ile	8.0
EtC	Ethan-Egan complex, 5 to 9 percent slopes	23.17	14.9%	IVe	6.0
HuA	Huntimer silty clay loam, 0 to 2 percent slopes	12.46	8.0%	Iw	8.0
Wo	Worthing silty clay loam, 0 to 1 percent slopes	8.87	5.7%	Vw	3.0
Te	Tetonka silt loam, 0 to 1 percent slopes	2.07	1.3%	IVw	5.0
Bb	Baltic silty clay loam, ponded	1.81	1.2%	VIIIw	1.0
Ba	Baltic silty clay loam	1.00	0.6%	Vw	3.0
Weighted Average					72.7

*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.



Common Land Unit
 Non-Cropland
 Cropland
 Tract Boundary
 PLSS

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

2018 Program Year
 Map Created October 27, 2017
Farm 4549

13 -100N -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).

South Lincoln County Rual Water

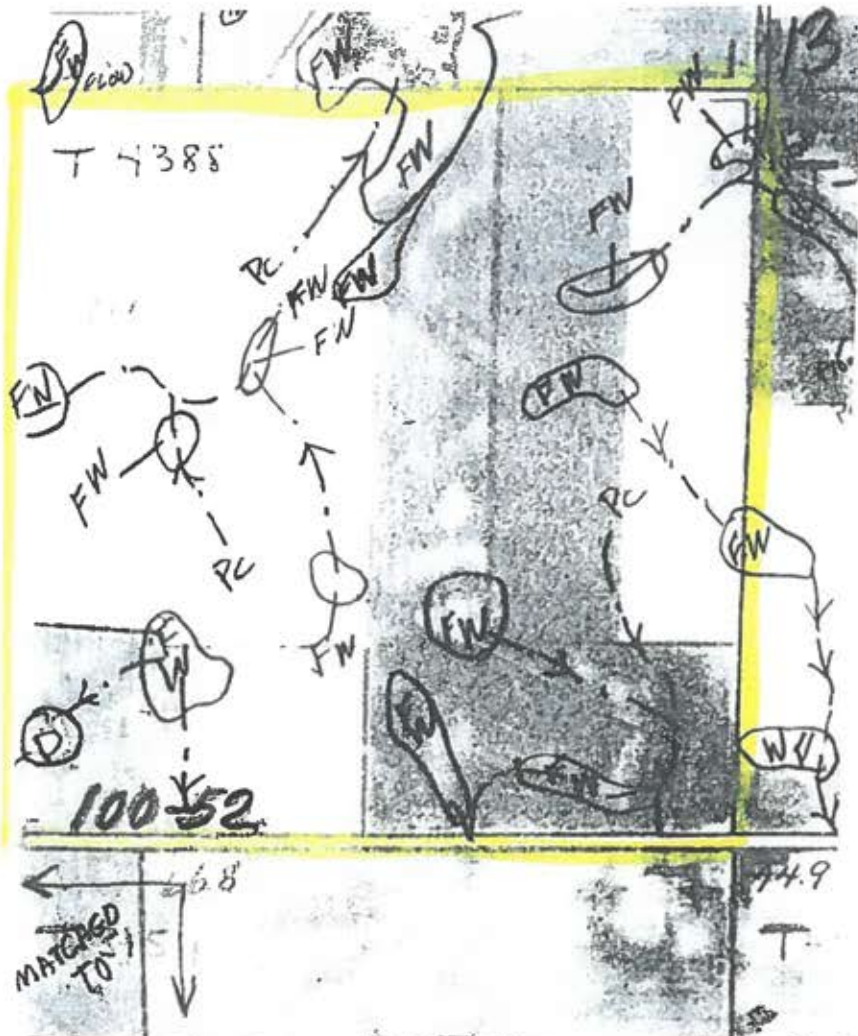
Membership: \$500.00

Hookup Fee: \$8,000.00

WETLANDS MAP



- (W) Wetland
- (FW) Ditched or tiled prior to 12-23-85 but still wetland
- (PC) Converted Wetland prior to 12-23-85
- (CW) Converted Wetland after 12-23-85
- (---) Ditched prior to 12-23-85
- (---) Tiled prior to 12-23-85
- (w) Wetland in a channel



SOUTH DAKOTA

TURNER

Form: FSA-156EZ

See Page 2 for non-discriminatory Statements.



United States Department of Agriculture
Farm Service Agency

Abbreviated 156 Farm Record

FARM : 4549

Prepared : Sep 6, 2018

Crop Year : 2018

Operator Name : JAMES ALLEN POPPENS
Farms Associated with Operator :
CRP Contract Number(s) : None
Recon ID : None

Farm Land Data

Farmland	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane	Farm Status	Number Of Tracts
155.48	145.44	145.44	0.00	0.00	0.00	0.00	0.00	Active	1
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped		MPL	Acre Election	EWP	DCP Ag.Rel. Activity	Broken From Native Sod
0.00	0.00	145.44	0.00		0.00		0.00	0.00	0.00

Crop Election Choice

ARC Individual	ARC County	Price Loss Coverage
None	CORN, SOYBN	None

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	CTAP Yield	PLC Yield	HIP
Corn	70.84	0.00	0	136	
Soybeans	74.56	0.00	0	33	
TOTAL	145.40	0.00			

NOTES

Tract Number : 4388
Description : SW 13 100 52
FSA Physical Location : SOUTH DAKOTA/TURNER
ANSI Physical Location : SOUTH DAKOTA/TURNER
BIA Unit Range Number :
HEL Status : HEL determinations not completed for all fields on the tract
Wetland Status : Tract does not contain a wetland
WL Violations : None
Owners : POPPENS FARM LLC
Other Producers : None
Recon ID : None

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane
155.48	145.44	145.44	0.00	0.00	0.00	0.00	0.00
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	EWP	DCP Ag. Rel Activity	Broken From Native Sod
0.00	0.00	145.44	0.00	0.00	0.00	0.00	0.00

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	CTAP Yield	PLC Yield
Corn	70.84	0.00	0	136
Soybeans	74.56	0.00	0	33

SOUTH DAKOTA
TURNER
Form: FSA-156EZ



FARM : 4549
Prepared : Sep 6, 2018
Crop Year : 2018

Tract 4388 Continued ...

TOTAL	145.40	0.00
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NOTES

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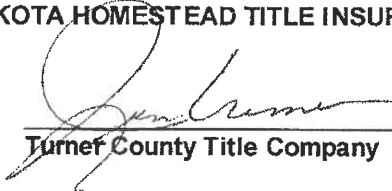
If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov. USDA is an equal opportunity provider and employer.

Issuing Agent: Turner County Title Company
Issuing Office File Number: 18-TI-11817

SCHEDULE A

- 1. Commitment Date: October 1, 2018 at 07:30 AM
- 2. Policy or policies to be issued:
 - a. ALTA Own. Policy (08/01/16)
 - Standard Coverage Extended Coverage
 - Proposed Insured: TO BE DETERMINED
 - Proposed Policy Amount: \$ 1,000.00
 - b. ALTA Loan Policy (08/01/16)
 - 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 Poppens Farm, LLC, a South Dakota Limited Liability Company.
- 5. The Land is described as follows:
The Southwest Quarter (SW 1/4) of Section Thirteen (13), Township One Hundred (100) 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

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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 B, PART I
Requirements

File Number: 18-TI-11817

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 Warranty Deed be executed and recorded conveying title from Poppens Farm, LLC, a South Dakota Limited Liability Company to the purchaser of the property.
6. THE COMPANY requires the enclosed South Dakota Data Breach Notification Law Compliance Forms be completed by the Sellers and Buyers and returned to our office. NOTE: THIS WILL BE REQUIRED AT THE TIME OF CLOSING.
7. The enclosed Seller's and Buyer's Affidavits must be completed and returned to our office. NOTE: THIS WILL BE REQUIRED AT THE TIME OF CLOSING.
8. THE COMPANY requires that an Affidavit of Possession be prepared by the current owner according to South Dakota Statutes and be recorded in the records of the Register of Deeds, Turner County, SD. This is to clarify that there are no outstanding interests of past owners due to defects in past Deeds of record.
9. THE COMPANY requires that clarification of the marital status of Joanne Poppens, when she executed the Quit Claim Deed, dated February 18, 2004, filed March 30, 2004 @ 2:45 P.M. and recorded in Book 109 of Deeds, page 431, Turner County Records, be recorded with the Turner County Register of Deeds. If she was married when the Deed was executed, the Company requires that the recorded instrument include termination of any interest of her spouse in the property.
10. 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.

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SCHEDULE BI & BII
(Continued)

File Number: 18-TI-11817

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. THE COMPANY requires that an Affidavit of Possession be prepared by the current owner according to South Dakota Statutes and be recorded in the records of the Register of Deeds, Turner County, SD. This is to clarify that there are no outstanding interests of past owners due to defects in past Deeds of record.

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SCHEDULE BI & BII
(Continued)

File Number: 18-TI-11817

3. THE COMPANY requires that clarification of the marital status of Joanne Poppens, when she executed the Quit Claim Deed, dated February 18, 2004, filed March 30, 2004 @ 2:45 P.M. and recorded in Book 109 of Deeds, page 431, Turner County Records, be recorded with the Turner County Register of Deeds. If she was married when the Deed was executed, the Company requires that the recorded instrument include termination of any interest of her spouse in the property.
4. TRANSMISSION LINE RIGHT-OF-WAY EASEMENT, dated April 25, 2011, filed May 3, 2011 @ 10:20 A.M. and recorded in Book 49 of Misc., page 16, Turner County Records, grants unto East River Electric Power Co-operative, Inc., a Cooperative Corporation, its successors or assigns, the perpetual right to enter upon the SW 1/4 Sec 13-100-52 to construct, reconstruct, repair, operate and maintain an electric transmission and/or distribution line or system thereon.
5. EASEMENT AGREEMENT, dated April 22, 2015, filed April 28, 2015 @ 11:00 A.M. and recorded in Book 50 of Misc., page 565, Turner County Records, grants unto Dakota Access, LLC, its successors and assigns a 50 Foot wide free and unobstructed permanent Pipeline Easement over and across the SW 1/4 Sec 13-100-52.
6. AFFIDAVIT OF AS-BUILT DRAWINGS AND CONSTRUCTION, dated September 6, 2017, filed September 12, 2017 @ 11:25 A.M. and recorded in Book 51 of Misc., page 389, Turner County Records, which provided a survey of the location of the Pipeline Easement.
7. LOCATION NOTICE DRY DRAW, dated September 17, 1975, filed October 8, 1975 @ 8:30 A.M. Said Dry Draw is located in the SW 1/4 SW 1/4 Sec 13-100-52.
8. 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.
9. 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.
10. REAL ESTATE TAXES for the year 2018 and subsequent years which constitute a lien but are not due and payable. Real Estate Taxes for the first half of 2017 payable by April 30, 2018 in the amount of \$527.58 are paid; the last half of the 2017 Real Estate Taxes payable by October 31, 2018 in the amount of \$527.58 are unpaid. Parcel ID#: 07000-10052-133-00
11. 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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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.

Turner County

FARMLAND AUCTION

160 Acres



TERMS: TRACT # 1 & # 2: Cash Sale with a 20% non-refundable down payment the day of sale and the balance on December 18, 2018. TRACT # 3: Cash Sale with a 20% non-refundable down payment the day of sale and the balance on January 4, 2019. TRACT #4: Cash Sale with 20% non-refundable down payment the day of sale and a payment totaling 50% for an undivided 1/2 interest on December 18, 2018 and the balance of the remaining 1/2 interest on January 4, 2019. The buyer will receive Warranty Deed and title on each undivided one-half interest on the land at each closing date. Title Insurance will be utilized with cost split 50/50 between buyer and seller. Full possession for 2019 crop year granted upon final settlement. Sellers will pay all 2018 RE Taxes. Sold subject to confirmation by the owner. Wieman Land & Auction Co., Inc. is representing the sellers in this transaction.

Thursday
November 8th
at 10:30 AM



44628 SD HWY, 44 Marion SD phone: 800-251-3111

web: wiemanauction.com

fax: 605-648-3102

"We Sell The Earth And Everything On It!"