

OWNER: JOHN STAHL ESTATE



AUCTION

TUESDAY, SEPT. 3RD 3:00 PM

201 7th Street in Freeman SD

In order to settle the Estate, we will sell the following home at auction at 201 7th Street or 2 Blocks South of Freeman Post Office in Freeman SD

TO INSPECT THE PROPERTY CALL 605-648-3111

Complete terms, catalog & more photos at
WiemanAuction.com

800.251.3111 | Marion, SD | WiemanAuction.com
Wieman Land & Auction Inc., 44628 SD HWY 44, Marion SD 57043

THE PROPERTY

- The real estate consists of a 2 bedroom 1 story home w/breezeway and attached double garage.
- The floor plan includes a kitchen with wood built in cabinets, living room w/front entrance, 2 bedrooms w/closets and full bathroom.
- It has a full basement which is unfinished but has Egress windows, Natural Gas furnace with central air and washer & dryer hookups. It has 816 sq. ft. plus 8' x 12' breezeway & 24' x 24' attached double garage on a 75' x 142' corner lot.



**2 BEDROOM RANCH SYTLE HOME W/BREEZEWAY & ATTACHED DOUBLE GARAGE IN FREEMAN
AT AUCTION**

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TUESDAY, SEPT. 3RD 3:00

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To View This Home Call: Wieman Land & Auction Co., Inc. 605-648-3111 for appointment.

For Pictures and Info Packet Visit Our Website: wiemanauction.com

LEGAL: Lot 1 and the North ½ of Lot 2, Block 8, John Gross 4th Addition, City of Freeman, Hutchinson County SD

TERMS: Cash Sale with 20% non-refundable down payment the day of sale and the balance on Sept. 19, 2019. A Personal Representatives Deed will be provided, Title Insurance will be utilized with cost split 50/50 between buyer & seller. A closing fee of \$ 639.00 will be charged and the cost split 50/50 between buyer & seller. Possession granted upon final settlement. The RE Taxes will be prorated to possession date. Sold subject of confirmation by Personal Representative. Wieman Land & Auction Co., Inc. is representing the seller in this transaction. Sorry no buyer broker offered in this transaction.

JOHN STAHL ESTATE

Wieman Land & Auction Co., Inc.
Rich, Kevin, Mike, Ryan & Derek Wieman
and Nathan Timmermans - RE Brokers
Marion SD 800-251-3111

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

COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

Oplinger Abstract & Title, Inc.
PO Box 133
Olivet, SD 57052-0133
Telephone: (605) 387-2335
Fax: (605) 387-2337

Office File No.: TI-1677

1. Effective Date: August 13, 2019, 8 AM

2. Policy or Policies to be issued:

A. Owner's Policy(6/17/06) Standard Coverage Extended Coverage

Amount: \$1,000.00 / To Be Determined.

Proposed Insured: To Be Determined.

B. ALTA Loan Policy(6/17/06) Standard Coverage Extended Coverage

Amount:

Proposed Insured:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

FEE SIMPLE

4. Title to the FEE SIMPLE estate or interest in said land is at the effective date hereof vested in:

The heirs or devisees of John M. Stahl, deceased, their interest being subject to the administration of the estate of said decedent in Hutchinson County, Probate Case No. 33PRO18-034, wherein Jacqueline Ann Stahl Skibine, Marilyn Rae Stahl, and John David Stahl are appointed Co-Personal Representatives of said estate.

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

Lot 1, and the North ½ of Lot 2, in Block 8, of John Gross' Fourth Addition,
to the City of Freeman, Hutchinson County, South Dakota.

Parcel Identification Number: 240.28.08.001

NOT APPLICABLE TO COVERAGE AND FOR REFERENCE PURPOSES ONLY:
PROPERTY ADDRESS IS 201 E. 7th Street, Freeman, SD 57029

SCHEDULE A

Commitment - Dakota Homestead
ALTA Commitment (06/17/06)

SCHEDULE B-SECTION 1

Office File No.: TI-1677

Page 1

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.

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 of record for value the estate or interest or mortgage thereon covered by this Commitment.

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 in Schedule B-Section 2.

C. SPECIAL EXCEPTIONS:

1. Real Estate Taxes for the second half of year 2018, due and payable in year 2019, in the amount of \$486.04.

-----End of Schedule B-----

SCHEDULE B-SECTION 1
Commitment - Dakota Homestead

SELLER'S DISCLOSURE OF INFORMATION ON LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure (initial)

(a) Presence of lead-based paint and/or lead-based paint hazards (check one below):

Known Lead-based paint and/or lead-based paint hazards are present in the housing (explain).

Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (check one below):

Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgment (initial)

_____ (c) Purchaser has received copies of all information listed above.

_____ (d) Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.

_____ (e) Purchaser has (check on below):

Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (initial)

RDW (f) Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance

Certification of Accuracy

The following parties have reviewed the information above and certify to the best of their knowledge, that the information provided by the signatory is true and accurate.

<i>[Signature]</i>	8-13-19	Buyer	Date
CO- Person Rep of Estate of Volu Stela			
<i>[Signature]</i>	8-13-19	Agent	Date

SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT

(This disclosure shall be completed by the seller. This is a disclosure required by law. If you do not understand this form, seek legal advice.)

Seller John Stahl Estate Property Address 201 7th Street

This Disclosure Statement concerns the real property identified above situated in the City of Freeman
County of Hutchinson, State of South Dakota.

THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH § 43-4-38. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER OR ANY AGENT REPRESENTING ANY PARTY IN THIS TRANSACTION AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PARTIES MAY WISH TO OBTAIN.

Seller hereby authorizes any agent representing any party in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

IF ANY MATERIAL FACT CHANGES BEFORE CONVEYANCE OF TITLE TO THIS PROPERTY, THE SELLER MUST DISCLOSE SUCH MATERIAL FACT WITH A WRITTEN AMENDMENT TO THIS DISCLOSURE STATEMENT.

I. LOT OR TITLE INFORMATION

1. When did you purchase or build the home? _____

If the answer is yes to any of the following, please explain under additional comments or on an attached separate sheet.

2. Were there any title problems when you purchased the property? Yes ___ No ___

3. Are there any recorded liens or financial instruments against the property, other than a first mortgage?
Yes ___ No ___

4. Are there any unrecorded liens or financial instruments against the property, other than a first mortgage; or have any materials or services been provided in the past one hundred twenty days that would create a lien against the property under chapter 44-9? Yes ___ No ___ Unknown ___

5. Are there any easements which have been granted in connection with the property (other than normal utility easements for public water and sewer, gas and electric service, telephone service, cable television service, drainage, and sidewalks)? Yes ___ No ___ Unknown ___

6. Are there any problems related to establishing the lot lines/boundaries? Yes ___ No ___ Unknown ___

7. Do you have a location survey in your possession or a copy of the recorded plat? If yes, attach a copy.
Yes ___ No ___ Unknown ___

8. Are you aware of any encroachments or shared features, from or on adjoining property (i.e. fences, driveway, sheds, outbuildings, or other improvements)? Yes ___ No ___

9. Are you aware of any covenants or restrictions affecting the use of the property in accordance with local law? If yes, attach a copy of the covenants and restrictions. Yes ___ No ___

10. Are you aware of any current or pending litigation, foreclosure, zoning, building code or restrictive covenant violation notices, mechanic's liens, judgments, special assessments, zoning changes, or changes that could affect your property?
Yes ___ No ___

11. Is the property currently occupied by the owner? Yes ___ No ___

12. Does the property currently receive the owner occupied tax reduction pursuant to SDCL 10-13-39? Yes ___ No ___

13. Is the property currently part of a property tax freeze for any reason? Yes ___ No ___ Unknown ___

14. Is the property leased? Yes ___ No ___

15. If leased, does the property use comply with local zoning laws? Yes ___ No ___

16. Does this property or any portion of this property receive rent? Yes ___ No ___
If yes, how much \$ ___ and how often ___ ?

17. Do you pay any mandatory fees or special assessments to a homeowners' or condominium association?
 Yes ___ No ___
 If yes, what are the fees or assessments? \$ ___ per ___ (i.e. annually, semi-annually, monthly)
 Payable to whom: _____ For what purpose? _____
18. Are you aware if the property has ever had standing water in either the front, rear, or side yard more than forty-eight hours after heavy rain? Yes ___ No ___
19. Is the property located in or near a flood plain? Yes ___ No ___ Unknown ___
20. Are wetlands located upon any part of the property? Yes ___ No ___ Unknown ___
21. Are you aware of any private transfer fee obligations, as defined pursuant to § 43-4-48, that would require a buyer or seller of the property to pay a fee or charge upon the transfer of the property, regardless of whether the fee or charge is a fixed amount or is determined as a percentage of the value of the property?
 Yes ___ No ___ Unknown ___
 If yes, what are the fees or charges? \$ ___ per ___ (i.e. annually, semi-annually, monthly)

II. STRUCTURAL INFORMATION

If the answer is yes to any of the following, please explain under additional comments or on an attached separate sheet.

1. Are you aware of any water penetration problems in the walls, windows, doors, basement, or crawl space? Yes ___ No ___
2. What water damage related repairs, if any, have been made? _____
 If any, when? _____
3. Are you aware if drain tile is installed on the property? Yes ___ No ___
4. Are you aware of any interior cracked walls or floors, or cracks or defects in exterior driveways, sidewalks, patios, or other hard surface areas? Yes ___ No ___
 What related repairs, if any, have been made? _____
5. Are you aware of any roof leakage, past or present? Yes ___ No ___
 Type of roof covering: _____ Age: _____
 What roof repairs, if any, have been made, when and by whom? _____
- Describe any existing unrepaired damage to the roof: _____
6. Are you aware of insulation in:
 the ceiling/attic? Yes ___ No ___ the walls? Yes ___ No ___ the floors? Yes ___ No ___
7. Are you aware of any pest infestation or damage, either past or present? Yes ___ No ___
8. Are you aware of the property having been treated for any pest infestation or damage?
 Yes ___ No ___ If yes, who treated it and when? _____
9. Are you aware of any work upon the property which required a building, plumbing, electrical, or any other permit?
 Yes ___ No ___ If yes, describe the work: _____
 Was a permit obtained? Yes ___ No ___ Was the work approved by an inspector? Yes ___ No ___
10. Are you aware of any past or present damage to the property (i.e. fire, smoke, wind, floods, hail, or snow)?
 Yes ___ No ___ If yes, describe _____
 Have any insurance claims been made? Yes ___ No ___ Unknown ___
 Was an insurance payment received? Yes ___ No ___ Unknown ___
 Has the damage been repaired? Yes ___ No ___ If yes, describe in detail: _____

11. Are you aware of any problems with sewer blockage or backup, past or present? Yes ___ No ___
12. Are you aware of any drainage, leakage, or runoff from any sewer, septic tank, storage tank, or drain on the property into any adjoining lake, stream, or waterway? Yes ___ No ___ If yes, describe in detail:

III. SYSTEMS/UTILITIES INFORMATION

	None/Not Included	Working	Not Working
1. 220 Volt Service			
2. Air Exchanger			
3. Air Purifier			
4. Attic Fan			
5. Burglar Alarm & Security System			
6. Ceiling Fan			
7. Central Air- Electric			
8. Central Air - Water Cooled			
9. Cistern			
10. Dishwasher			
11 Disposal			
12. Doorbell			
13. Fireplace			
14 Fireplace Insert			
15. Garage Door/Opener Control(s)			
16. Garage Wiring			
17. Heating System			
18. Hot Tub, Whirlpool, and Controls			
19. Humidifier			
20 Intercom			
21. Light Fixtures			
22. Microwave/Hood			
23. Plumbing and Fixtures			
24. Pool and Equipment			
25. Propane Tank			
26. Radon System			
27 Sauna			
28. Septic/Leaching Field			
29. Sewer Svstcms/Drtiins			
30. Smoke/Fire Alarm			
31. Solar House - Heating			
32. Sump Pump(s)			
33. Switches and Outlets			
34. Underground Sprinkler and Heads			
35. Vent Fan			
36. Water Heater - Electric or Gas			
37. Water Purifier			
38. Water Softener - Leased or Owned			
39. Well and Pump			
40. Wood Burning Stove			

IV. HAZARDOUS CONDITIONS

Are you aware of any existing hazardous conditions of the property and are you aware of any tests having been performed?

	Existing Conditions		Tests Performed	
	Yes	No	Yes	No
1 Methane Gas				
2 Lead Paint				
3 Radon Gas (House)				
4 Radon Gas (Well)				
5 Radioactive Materials				
6 Landfill, Mineshaft				
7 Expansive Soil				
8 Mold				
9 Toxic Materials				
10. Urea Formaldehyde Foam Insulations				
11. Asbestos Insulation				
12. Buried Fuel Tanks				
13. Chemical Storage Tanks				
14. Fire Retardant Treated Plywood				
15. Production of Methamphetamines				

If the answer is yes to any of the questions above, please explain in additional comments or on an attached separate sheet.

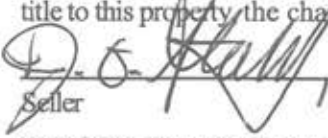
V. MISCELLANEOUS INFORMATION

- 1. Is the street or road located at the end of the driveway to the property public or private? Public _____ Private _____
- 2. Is there a written road maintenance agreement? Yes _____ No _____
If yes, attach a copy of the maintenance agreement.
- 3. When was the fireplace/wood stove/chimney flue last cleaned? _____
- 4. Within the previous twelve months prior to signing this document, are you aware of any of the following occurring on the subject property?
 - a. A human death by homicide or suicide? Yes _____ No _____
If yes, explain: _____
 - b. Other felony committed against the property or a person on the property? Yes _____ No _____
If yes, explain: _____
- 5. Is the water source (select one) _____ public or _____ private?
- 6. If private, what is the date and result of the last water test? _____
- 7. Is the sewer system (select one) _____ public or _____ private?
- 8. If private, what is the date of the last time the septic tank was pumped? _____
- 9. Are there broken window panes or seals? Yes _____ No _____
If yes, specify: _____
- 10. Are there any items attached to the property that will not be left, such as: towel bars, mirrors, swag lamps and hooks, curtain rods, window coverings, light fixtures, clothes lines, swing sets, storage sheds, ceiling fans, basketball hoops, mail boxes, etc. Yes _____ No _____
If yes, please list _____
- 11. Are you aware of any other material facts or problems that have not been disclosed on this form?
Yes _____ No _____ If yes, explain: _____

VI. ADDITIONAL COMMENTS (ATTACH ADDITIONAL PAGES IF NECESSARY)

CLOSING SECTION

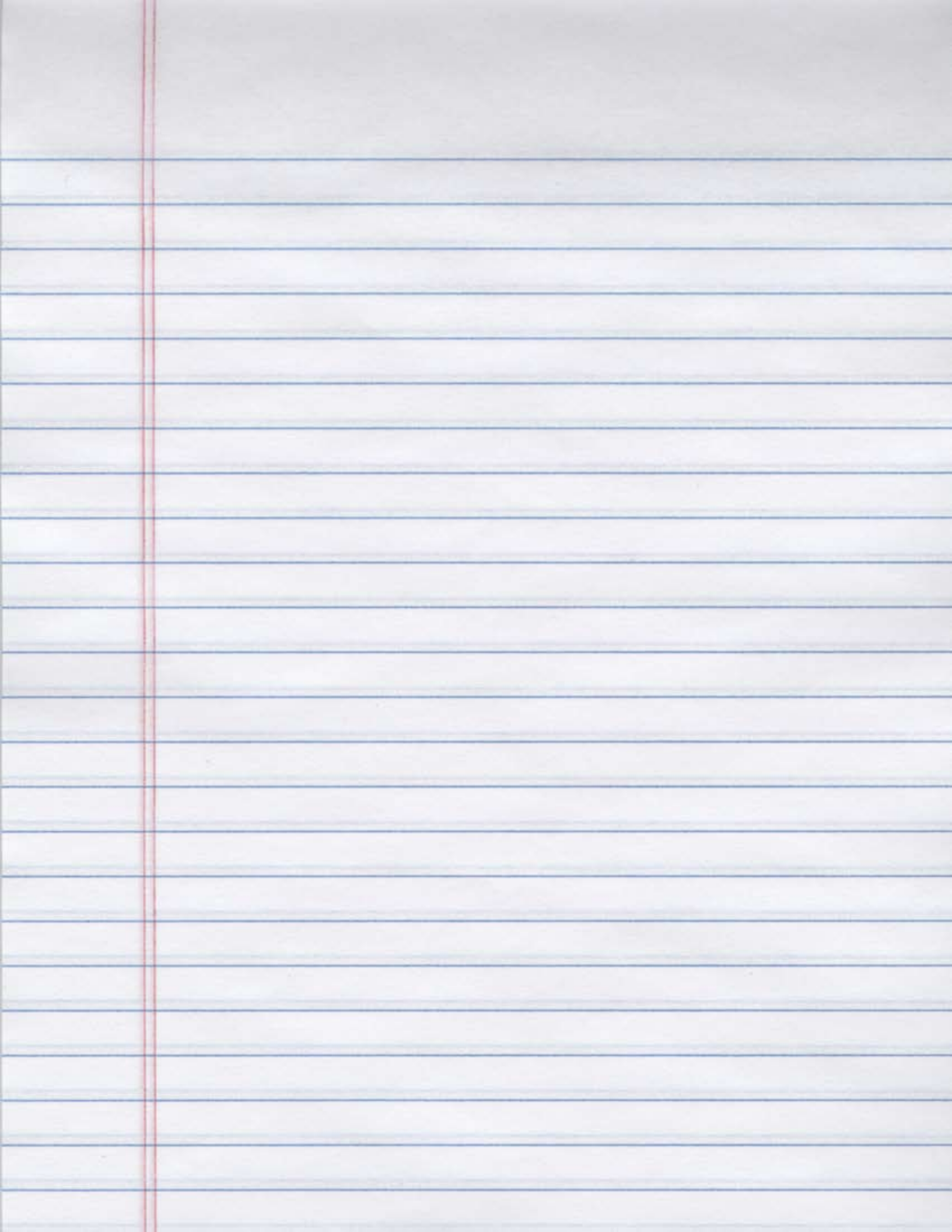
The Seller hereby certifies that the information contained herein is true and correct to the best of the Seller's information, knowledge, and belief as of the date of the Seller's signature below. If any of these conditions change before conveyance of title to this property the change will be disclosed in a written amendment to this disclosure statement.

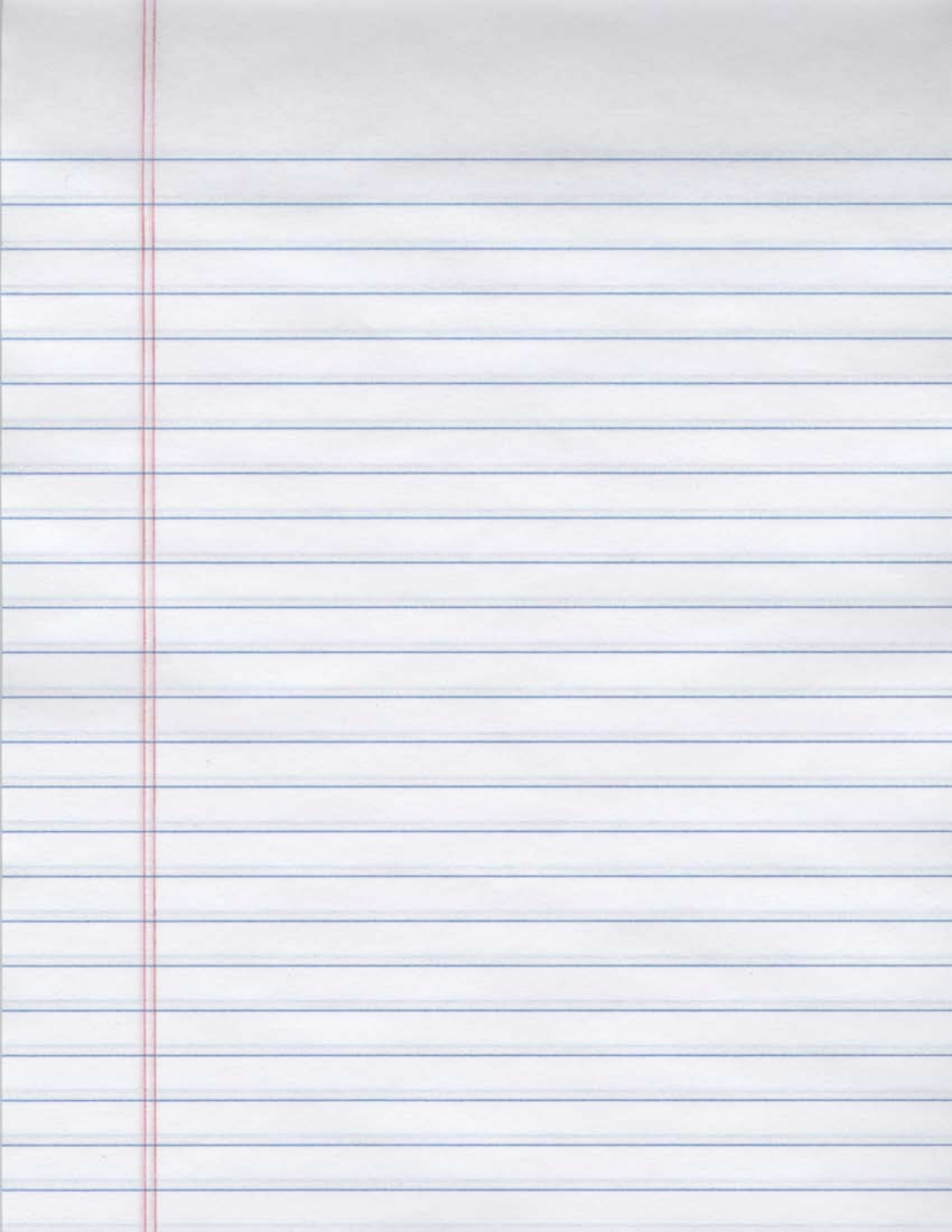

 _____ 8-13-19
 Seller Date Seller Date

THE SELLER AND THE BUYER MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND INSPECTIONS OF THE PROPERTY TO OBTAIN A TRUE REPORT AS TO THE CONDITION OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN ANY CONTRACT OF SALE AS NEGOTIATED BETWEEN THE SELLER AND THE BUYER WITH RESPECT TO SUCH PROFESSIONAL ADVICE AND INSPECTIONS.

I/We acknowledge receipt of a copy of this statement on the date appearing beside my/our signature(s) below. Any agent representing any party to this transaction makes no representations and is not responsible for any conditions existing in the property.

 Buyer Date Buyer Date





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