

# AUCTION

**2 PLUS BEDROOM RANCH STYLE HOME  
W/ ATTACHED SINGLE GARAGE**

**WEDNESDAY JULY 27<sup>TH</sup> AT 4:00 PM**



OWNER:

**ALLEN & ARDELLE  
SCHRAG**



44628 SD HWY 44, Marion SD

web: [wiemanauction.com](http://wiemanauction.com)

phone: 800-251-3111

fax: 605-648-3102

*"WE SELL THE EARTH AND EVERYTHING ON IT"*

**2 PLUS BEDROOM RANCH STYLE HOME W/ ATTACHED SINGLE GARAGE  
PICKUP – MOWERS – SNOWBLOWER – GUN – TOOLS – HOUSEHOLD MISC.**

**AUCTION**

As we have moved to the apartments, we will sell our home and personal property at auction at 607 N Broadway Ave in Marion SD on

**WEDNESDAY, JULY 27<sup>TH</sup> 4:00 PM**

**REAL ESTATE SOLD FIRST**

**Ridge Kitchen Lunch Wagon**

The real estate consists of a 2 Bedroom Ranch Style Home with attached 14' x 24' single garage. The floor plan includes a kitchen with birch built-in cabinets, dining room, living room w/ front entrance, 2 bedrooms w/ closets, full bathroom and breezeway w/ rear entrance and washer & dryer hookups. It has a full basement w/ ¾ bathroom, office/rec room/bedroom, kitchenette area w/ sink and cabinets. The features include Trane Natural Gas FA Furnace w/ Central Air, new shingles, 1208 sq ft of finished living area, 95' x 198' lot with nice trees, 12 x 24 lawn storage shed and good location. The annual taxes are \$1240.86.

To view the home call Allen Schrag at 648-3924 or Wieman Land & Auction Co. at 605-648-3111.

**LEGAL:** South 20' of Outlot 34 and Lot 1 of Outlot 35, City of Marion and Lot 8 of "Subdivision entitled Lots 1-8", being all of Outlot 35 and part of Outlot 33, City of Marion, Turner County, South Dakota

**TERMS:** Cash sale with \$5,000. Nonrefundable downpayment the day of the sale and the balance on or before September 1, 2016. A Warranty Deed will be provided, title insurance will be utilized and cost split 50/50 between buyer and seller. RE Taxes will be prorated to date of possession. Possession granted upon final settlement. Sold subject to confirmation by the owners. Wieman Land & Auction Co. is representing the seller in this transaction. For Buyers info packet and pictures, visit our website [www.wiemanauktion.com](http://www.wiemanauktion.com) or call Wieman Land & Auction Co. at 605-648-3111.

**HOUSEHOLD**

Kenmore 16 Cu Ft Upright Freezer; Whirlpool Auto Washer – White; Kenmore Electric Dryer; Whirlpool 2015 LG Microwave; Necchi Portable Sewing Machine; 3 – Living Room Chairs; Round Dinette Table w/ 2 Roller Chairs; RCA Console Color TV; RCA Record Player; 3 pc Bedroom Set w/ Full Size Box Spring & Mattress; Chest of Drawers; 2 Drawer File Cabinet; 100 pc "Dawn Rose" china set; Dishes; Kitchen Utensils; Kitchen Items; Knick Knacks; Snack Sets; Fruit Jars; Bedding; Quilt; Towels; Misc. Household Items; Lots of Records; Silverware; Grain & Corn Sacks; 2 – Dehumidifiers; Humidifier;

**PICKUP – MOWERS – SNOWBLOWER – GUN – TOOLS – MISC.**

1988 GMC S15 Ext Cab 4x4 4.3 V-6, Auto, 159,000 Miles w/ topper; Snapper RE200 rear engine hydro 13 Hp 30" deck riding mower; MTD 8 Hp 26" Walk behind snowblower, like new; LawnBoy Gold Pro 6 ½ Hp w/ starter SP Lawn Mower w/ bagger; Lawn Boy 21" Mower; JC Higgins #20 Pump 12 Ga shotgun w/ rib barrel & poly choke; Craftsman gas weed eater; Craftsman Scroll Saw w/ stand; Craftsman 12" Thickness Planer; Craftsman 9" Band Saw w/ Stand; Craftsman 4" jointer/planer; Craftsman Router w/ Table; Craftsman Router & Belt Sander; Shop Tools; Step Ladders; 12' Wood Ladder; Wheel Barrow; Coast King Boys Bike; Hawthorne Girls Bike; asst of hand & garden tools; old doors; garden hose & reels; other misc. items;

**ALLEN & ARDELLE SCHRAG, OWNERS**

**605-648-3924**

Wieman Land & Auction Co., Inc.  
Rich & Gary Wieman, Brokers  
Kevin, Mike, Derek & Ryan Wieman  
and Ron Leitheiser, Assoc. Brokers  
Marion SD 605-648-3111  
Auctioneers & Clerks

## 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)

AS (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).

House was built prior to 1978

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

AS (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.

<u>Allen Schrag</u>	<u>6-24-16</u>		
Seller	Date	Buyer	Date
<u>* Ardelle Schrag</u>	<u>6-24-16</u>		
Seller	Date	Buyer	Date
<u>RH Wieman</u>	<u>6-23-16</u>		
Agent	Date	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 \_\_\_\_\_ Property Address \_\_\_\_\_

This Disclosure Statement concerns the real property identified above situated in the City of \_\_\_\_\_  
County of \_\_\_\_\_, 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? NA  
 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? none
5. Are you aware of any roof leakage, past or present? Yes \_\_\_ No   
 Type of roof covering: asphalt Age: 2016  
 What roof repairs, if any, have been made, when and by whom? Mike Peterson Freeman S.D.

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		X	
2. Air Exchanger	X		
3. Air Purifier	X		
4. Attic Fan	X		
5. Burglar Alarm & Security System	X		
6. Ceiling Fan		X	
7. Central Air- Electric		X	
8. Central Air - Water Cooled	X		
9. Cistern	X		
10. Dishwasher	X		
11 Disposal		X	
12. Doorbell		X	
13. Fireplace	X		
14 Fireplace Insert	X		
15. Garage Door/Opener Control(s)		X	
16. Garage Wiring		X	
17. Heating System		X	
18. Hot Tub, Whirlpool, and Controls	X		
19. Humidifier	X		
20 Intercom	X		
21. Light Fixtures		X	
22. Microwave/Hood		X	
23. Plumbing and Fixtures		X	
24. Pool and Equipment	X		
25. Propane Tank	X		
26. Radon System	X		
27 Sauna	X		
28. Septic/Leaching Field	X		
29. Sewer Svstcms/Drains	X		
30. Smoke/Fire Alarm		X	
31. Solar House - Heating	X		
32. Sump Pump(s)	X		
33. Switches and Outlets		X	
34. Underground Sprinkler and Heads	X		
35. Vent Fan		X	
36. Water Heater - <u>Electric</u> or Gas		X	
37. Water Purifier	X		
38. Water Softener - Leased or Owned	X		
39. Well and Pump	X		
40. Wood Burning Stove	X		

### 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		X		X
2 Lead Paint	X			X
3 Radon Gas (House)		X		X
4 Radon Gas (Well)		X		X
5 Radioactive Materials		X		X
6 Landfill, Mineshaft		X		X
7 Expansive Soil		X		X
8 Mold		X		X
9 Toxic Materials		X		X
10. Urea Formaldehyde Foam Insulations		X		X
11. Asbestos Insulation		X		X
12. Buried Fuel Tanks		X		X
13. Chemical Storage Tanks		X		X
14. Fire Retardant Treated Plywood		X		X
15. Production of Methamphetamines		X		X

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



**Dakota Homestead Title Insurance Company**

315 S. Phillips Avenue, Sioux Falls, SD 57104-6318  
(605)336-0388 FAX (605)336-5649

**SCHEDULE A**

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

File No.: 16-TI-10873  
Applicant Order No.:

Loan No.:

1. Effective date: June 29, 2016 at 07:30 AM

2. Policy or Policies to be issued:		Policy Amount
(a) Owner's Policy	( ALTA Own. Policy (06/17/06) )	\$ 1,000.00
Proposed Insured:	( X ) Standard Coverage ( ) Extended Coverage	
TO BE DETERMINED		
(b) Loan Policy	( ALTA Loan Policy (06/17/06) )	\$ 0.00
Proposed Insured:	( ) Standard Coverage ( ) Extended Coverage	

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:  
Allen Schrag and Ardelle Schrag, husband and wife, as joint tenants

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

The South 20 Feet of Outlot 34 and Lot One (1) of Outlot 35, City of Marion; AND Lot Eight (8) of  
Subdivision entitled "Lots 1-2-3-4-5-6-7-8" being all of Outlot 35 and part of Outlot 33, City of Marion,  
Turner County, South Dakota, according to the recorded plats thereof.



**SCHEDULE B - SECTION I  
REQUIREMENTS**

1. ALL open mortgages must be satisfied of record.
2. 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.
3. Documents in insurable form and satisfactory to us must be signed, delivered and duly filed of record.
4. 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, 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 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 Allen Schrag and Ardelle Schrag to Farmers State Bank, Marion, SD, in the face amount of \$                      dated February 27, 1987, filed March 10, 1987 @ 8:30 A.M. and recorded in Book 149 of Mortgages, page 703, Turner County Records.
11. ADDENDUM TO COLLATERAL REAL ESTATE MORTGAGE, dated March 5, 1992, filed March 6, 1992 @ 8:30 A.M. and recorded in Book 153 of Mortgages, page 391, Turner County Records, extending the five-year lien of said Mortgage in accordance with SDCL 44-8-26.
12. ADDENDUM TO COLLATERAL REAL ESTATE MORTGAGE, dated February 4, 1997, filed February 6, 1997 @ 1:00 P.M. and recorded in Book 157 of Mortgages, page 290, Turner County Records, extending the five-year lien of said Mortgage in accordance with SDCL 44-8-26.
13. ADDENDUM TO COLLATERAL REAL ESTATE MORTGAGE, dated January 9, 2002, filed January 10, 2002 @ 8:30 A.M. and recorded in Book 162 of Mortgages, page 19, Turner County Records, extending the five-year lien of said Mortgage in accordance with SDCL 44-8-26.
14. ADDENDUM TO COLLATERAL REAL ESTATE MORTGAGE, dated December 13, 2006, filed December 14, 2006 @ 8:30 A.M. and recorded in Book 169 of Mortgages, page 465, Turner County Records, extending the five-year lien of said Mortgage in accordance with SDCL 44-8-26.

**SCHEDULE B - SECTION II**  
**EXCEPTIONS**  
(Continued)

15. ADDENDUM TO COLLATERAL REAL ESTATE MORTGAGE, dated October 6, 2011, filed October 11, 2011 @ 8:30 A.M. and recorded in Book 175 of Mortgages, page 420, Turner County Records, extending the five-year lien of said Mortgage in accordance with SDCL 44-8-26.
16. TEMPORARY CONSTRUCTION EASEMENT, dated June 16, 2009, filed August 13, 2009 @ 11:30 A.M. and recorded in Book 48 of Misc., page 155, Turner County Records, grants unto the City of Marion, South Dakota, a municipal corporation, a temporary construction easement to excavate, construct and install its 2009 Utility Improvements, including the necessary grading thereof over, across and through the South 20 Feet of Outlot 34 and Lot 1 of Outlot 35, City of Marion.
17. REAL ESTATE TAXES for the year 2016 and subsequent years which constitute a lien but are not due and payable. Real Estate Taxes for the first half of 2015 payable in 2016 in the amount of \$270.60 have been paid; the last half of the 2015 Real Estate Taxes payable in 2016 in the amount of \$270.60 are unpaid on the property described as Lot 1 of Outlot 35 and part of Outlot 33; and South 20 Feet of Outlot 34, Marion . Parcel ID#:25900-00000-033-45
18. REAL ESTATE TAXES for the year 2016 and subsequent years which constitute a lien but are not due and payable. Real Estate Taxes for the year 2015 payable in 2016 in the total amount of \$14.75 have been paid in full on the property described as Lot 8 of Outlot 35 and part of Outlot 33, Marion . Parcel ID#:25900-00000-033-67
19. 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.

**END OF SCHEDULE B - SECTION II**

# AUCTION

**2 PLUS BEDROOM RANCH STYLE HOME  
W/ ATTACHED SINGLE GARAGE**

**WEDNESDAY JULY 27<sup>TH</sup> AT 4:00 PM**



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