

# AUCTION

WEDNESDAY, OCTOBER 19TH AT 11:00 A.M.

5 BEDROOM 2 STORY HOME IN MARION SD  
CAR - ANTIQUES - HOUSEHOLD - MISC



OWNER:

CAROLINE HAGEMANN TRUST



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!"*

**5 BEDROOM 2 STORY HOME IN MARION SD  
CAR – ANTIQUES – HOUSEHOLD – MISC  
AUCTION**

As I have moved to Assisted Living, I will sell my home and personal property at auction at 100 West 2<sup>nd</sup> Street, Marion SD on

**WEDNESDAY, OCTOBER 19<sup>TH</sup> 11:00 AM  
REAL ESTATE SOLD FIRST  
PERSONAL PROPERTY TO FOLLOW  
My Place Lunch Wagon**

The real estate consists of a 5 Bedroom, 2 Story home with detached double garage. The floor plan includes a kitchen with oak built-in cabinets, dinette area, dining room, living room, bedroom/den, ¾ bathroom and front & rear entrances. The 2<sup>nd</sup> floor has 4 bedrooms, full bathroom and storage room. It has a partial basement with Natural Gas Forced Air Furnace w/ Central Air. The home has had a lot of updating done through the years. It is a comfortable, older home with 1872 sq ft, on a 77' x 75' lot, large raspberry patch, 18' x 22' double garage with new 16' overhead door. The property is enrolled in senior tax freeze program. The annual real estate taxes are currently \$568.82. This property would make excellent rental property or a nice home. To view the property, call Wieman Land & Auction Co. at 605-648-3111 or Jill Hopf 648-3861 or 648-3579 or Jolynn 648-3343. Visit our website at [www.wiemanauktion.com](http://www.wiemanauktion.com) for buyer's info packet and pictures.

**Legal:** The S ½ of the SW ¼ of Block D, Nickel's Addition to the City of Marion, except the West 65' thereof, being a part of the SE ¼ of Section 6-99-54, Turner County, South Dakota.

**Terms:** Cash Sale with \$5,000. non-refundable downpayment the day of sale and the balance on or before November 18, 2016. A Trustee Deed will be provided. Title Insurance will be utilized and the cost split 50/50 between buyer and seller. Possession upon final settlement. Taxes prorated to possession date. Sold subject to confirmation by the owner. Wieman Land & Auction Co., Inc. is representing the seller in this transaction.

**APPLIANCES – FURNITURE – HOUSEHOLD**

2016 Speed Queen Auto Washer & Matching Electric Dryer, white – like new; Panasonic Microwave; Crosley Small Chest Freezer; Thomas Organ w/ Bench; Wood Microwave Stand; 3 Pc Davenport & Chair Set; Wood End Tables; Wood Desk; Wood File Cabinet; Twin & Double Beds – complete; Rollaway Bed; Crib; 2 – Chest of Drawers; Quilt Stand; Chromecraft Kitchen Table w/ 4 Chairs; Exercycle; Bedding; Pots & Pans; Dishes; Kitchen Utensils; Large Variety of Household Misc.; Misc. Other Items; Step Ladder; Appliance Cart; Yard Pro SP Lawn Mower; Misc. Hand & Garden Tools;

**CAR – ANTIQUES – COLLECTIBLES**

1992 Chevrolet Lumina, 4 Door, 3.1L V-6, Auto, A/C, 155,000 Miles, Maroon in Color, Runs Good; **ANTIQUES;** Oak High Boy Dresser; Oak Dresser w/ Mirror; Wood Wardrobe; Oak Dresser; Birdseye Maple Chest of Drawers & Dresser; Metal Toys; Horse Collars; Sled; Peddle Grindstone; Sears Boys Bike; Traps; Saws; Misc. other items not yet found;

**Gert Witkop will sell the following:** Oak Secretary; Wood Kitchen Cabinet; Waterfall Desk; Oak Parlor Table; Flattop Trunk; Oak Dining Chair; Wood Chest of Drawers; Wood Wardrobe; Single Bed; Frigidaire Small Chest Freezer; LifeSmart Heater; Tupperware; Card Table & Chairs; Lawn Chairs; Jars; Canner; Wood Egg Case; Draw Knife; Misc. Tools; Christmas Decorations; Misc. Other Items;

**CAROLINE HAGEMANN TRUST**

**ROBERT HAGEMANN & JILL HOPF, CO-POWER OF ATTORNIES**

Wieman Land & Auction Co., Inc.

Marion SD 605-648-3111

Rich & Gary Wieman, Brokers

Kevin, Mike, Derek & Ryan Wieman

& Ron Leitheiser, Assoc. Brokers

Auctioneers & RE Brokers

## 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)

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

- RTN  Known Lead-based paint and/or lead-based paint hazards are present in the housing (explain).  
House was built prior to 1978 but no known hazards
- Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

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

- RTN  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>Robert A. Thompson</u>	<u>9-22-16</u>		
Seller	Date	Buyer	Date
<u>Bill Hort</u>	<u>9-22-16</u>		
Seller	Date	Buyer	Date
<u>RDW</u>	<u>9-22-16</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 Caroline Hagemann Trust Property Address 100 W 2ND STREET

This Disclosure Statement concerns the real property identified above situated in the City of Marion  
County of Turner, 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? None  
 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: asphalt Age: ?  
 What roof repairs, if any, have been made, when and by whom? \_\_\_\_\_  
 Describe any existing unrepaired damage to the roof: flashing might leak
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/Drtiins		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 - Electric 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.

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? P
- 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.

<u>Robert D. Chapman</u>	<u>9-22-16</u>	<u>Jill Hoyt</u>	<u>9-22-16</u>
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

