

# AUCTION

WEDNESDAY NOVEMBER 16TH AT 10:30 A.M.

79.51 ACRES NORWAY TOWNSHIP – TURNER COUNTY LAND



OWNER:

RAYBURN FAMILY ETAL



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!"*



**79.51 ACRES NORWAY TOWNSHIP – TURNER COUNTY LAND  
AT AUCTION**

Our family has decided to offer the following land for sale at public auction in the Wieman Auction Facility located from Marion, SD 1-mile south and ½ mile west on Hwy. 44 on:

**WEDNESDAY NOVEMBER 16<sup>TH</sup>  
10:30 A.M.**

It is our privilege to offer this powerful, high quality, tract of land located in the tightly held Norway Township. This property offers the best soils found in Turner County and would make a great add-on piece for the farmer or investor. Great eye appeal, and predictable yield potential year after year! No disappointments come take a look.

**LEGAL: The S ½ of the SW ¼ Section 13, 98-54 Turner County, SD.**

**LOCATION:** From Hurley, SD go 4-miles west, 1-mile north on the east side of the road or at the junction of 451<sup>st</sup> Ave and 282<sup>nd</sup> St.

- 73.86 acres tillable with 4.86 acres in trees in the NW corner balance found in RROW.
- Soil production rating of 84.5. Predominant soil Clarno-Bonilla loam (88).
- Annual Taxes are \$1,818.36. New buyer to receive full possession for the 2017 crop year.
- Property is currently enrolled in ARCH County with the FSA office. Aerial and soil maps, FSA info and wetland maps are found in the buyers packet.
- Property is bordered on the west by 451<sup>st</sup> Ave and south side by 282<sup>nd</sup> Ave both are gravel township roads.
- If you have been searching for a quality tract of land that would command top rental rates or be one of the top performing tracts in your operation come take a look!

**TO INSPECT THE PROPERTY:** We invite you to inspect the property at your convenience. Buyers packets can be mailed out by calling the auctioneers at 800-251-3111 or you may visit [www.wiemanauktion.com](http://www.wiemanauktion.com).

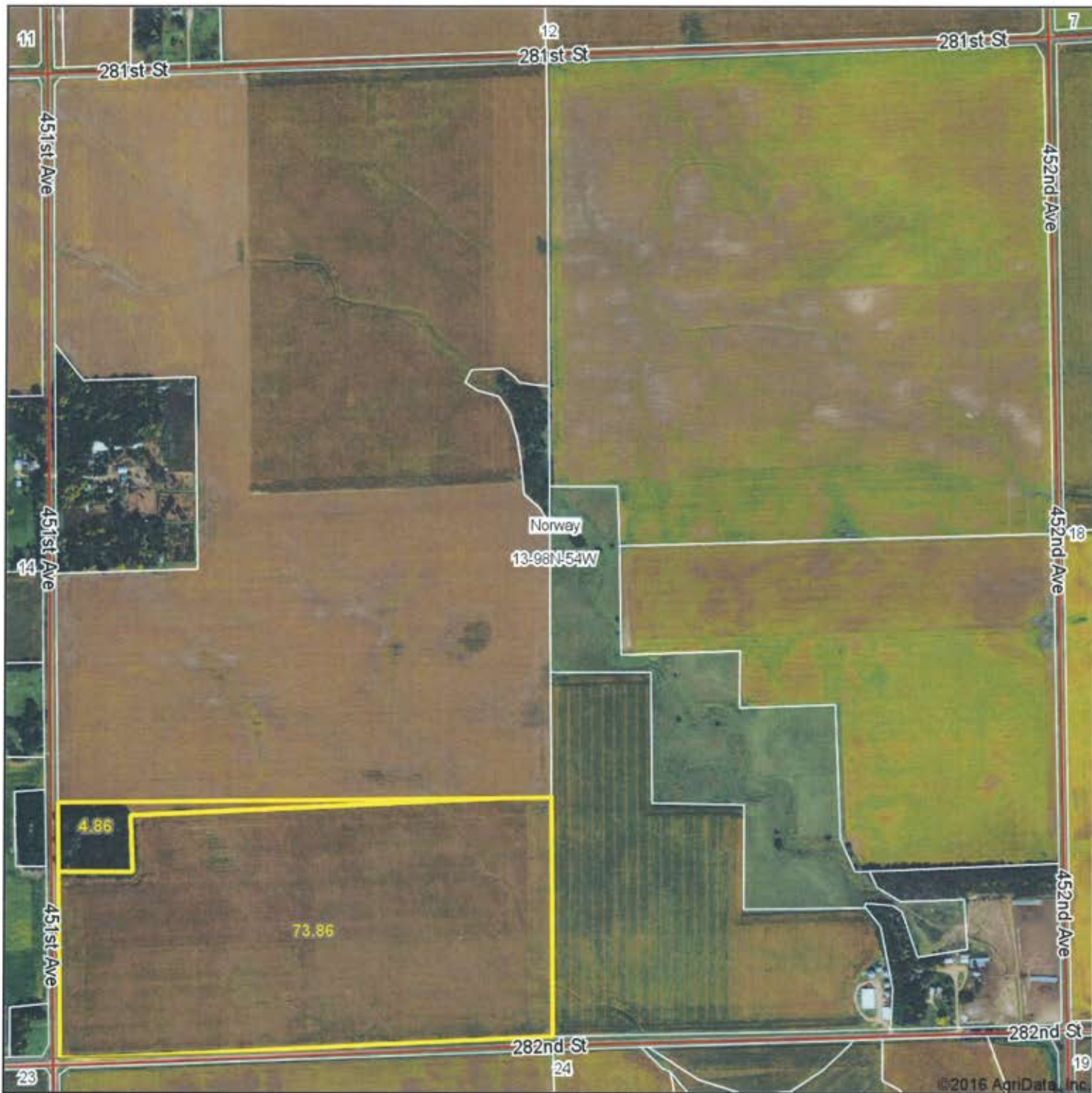
**TERMS:** Cash sale with 15% (non-refundable) down payment with the balance on or before December 16<sup>th</sup>, 2016. Warranty Deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Seller to pay all of the 2016 taxes. Buyer to receive full possession for the 2017 crop year. Sold subject to owners approval, and easements, and restrictions of record. Come prepared to buy and remember the auction to be held at the Wieman Auction Facility.

**RAYBURN FAMILY ETAL – OWNERS**

Wieman Land & Auction Co. Inc.  
Marion, SD 800-251-3111  
[www.wiemanauktion.com](http://www.wiemanauktion.com)

Ward Law Office  
Closing Attorney  
605-326-5282

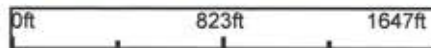
# Aerial Map



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map center: 43° 18' 26.34, -97° 10' 17.2



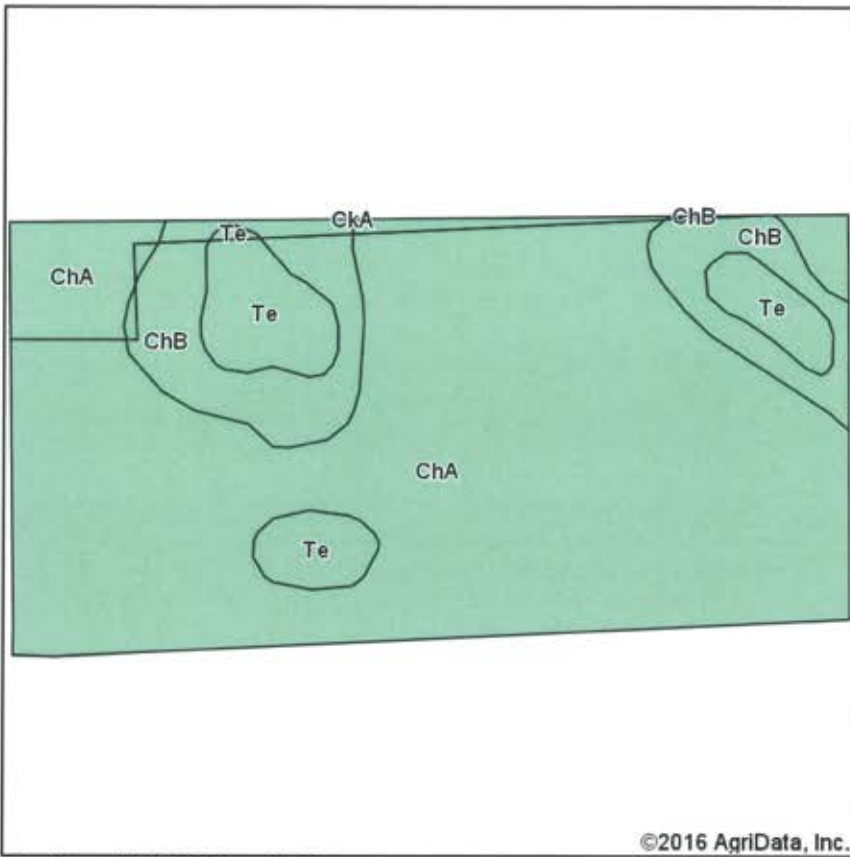
13-98N-54W  
Turner County  
South Dakota



8/17/2016



# Soils Map



Soils data provided by USDA and NRCS.



State: **South Dakota**  
 County: **Turner**  
 Location: **13-98N-54W**  
 Township: **Norway**  
 Acres: **78.72**  
 Date: **8/17/2016**



Maps Provided By:



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www.AgriDataInc.com



Area Symbol: SD125, Soil Area Version: 17

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
ChA	Clarno-Bonilla loams, 0 to 2 percent slopes	61.63	78.3%	IIc	88	4	48	82	9.5	48	61	32	39
ChB	Clarno-Bonilla loams, 1 to 6 percent slopes	10.19	12.9%	IIe	83	3.8	45	76	8.8	44	57	30	36
Te	Tetonka silt loam, 0 to 1 percent slopes	6.90	8.8%	IVw	56								
<b>Weighted Average</b>					<b>84.5</b>	<b>3.6</b>	<b>43.4</b>	<b>74</b>	<b>8.6</b>	<b>43.3</b>	<b>55.1</b>	<b>28.9</b>	<b>35.2</b>

Area Symbol: SD125, Soil Area Version: 17

\*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.



United States  
Department of  
Agriculture

# Turner County, South Dakota



**Common Land Unit** Other Ag Cropland PLSS Tract Boundary

**Wetland Determination Identifiers**

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



2016 Program Year

Map Created February 12, 2016

**Farm 1028**

**13 -98N -54W**

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).



See Page 2 for non-discriminatory Statements.

**Abbreviated 156 Farm Record**

State : SOUTH DAKOTA

Farm Number : 1028

County : TURNER

Operator Name : ERIC PETERSEN

Farms Associated with Operator :

CRP contract numbers :

**Farm Land Data**

Farmland	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane	Farm Status	Number Of Tracts
78.72	73.86	73.86	0.00	0.00	0.00	0.00	0.00	Active	1
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	FAV/WR History	Acre Election	EWP	DCP Ag. Related Activity	
0.00	0.00	73.86	0.00	0.00	No	No	0.00	0.00	

**Crop Election Choice**

ARC Individual	ARC County	Price Loss Coverage
	CORN, SOYBN	

**DCP Crop Data**

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	CTAP Yield	PLC Yield	HIP
Oats	0.00	0.00	0	0	
Corn	36.70	0.00	0	118	
Soybeans	36.60	0.00	0	29	
<b>TOTAL</b>	<b>73.30</b>	<b>0.00</b>			

**NOTES**

State : SOUTH DAKOTA

Farm Number : 1028

County : TURNER

Tract Number : 1679

Description : SSW 13 98 54

FAV/WR History : No

BIA Unit Range Number :

HEL Status : NHEL: No agricultural commodity planted on undetermined fields

Wetland Status : Wetland determinations not complete

WL Violations :

Owners : KATHLEEN NEITZERT, SUSAN EHRK, SCOTT RODMAN, RICHARD L RAYBURN, CAROL RAYBURN

Other Producers :

**Tract Land Data**

Farm Land	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane
78.72	73.86	73.86	0.00	0.00	0.00	0.00	0.00
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	EWP	DCP Ag. Related Activity	
0.00	0.00	73.86	0.00	0.00	0.00	0.00	



Abbreviated 156 Farm Record

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	CTAP Yield	PLC Yield
Corn	36.70	0.00	0	118
Soybeans	36.60	0.00	0	29
<b>TOTAL</b>	<b>73.30</b>	<b>0.00</b>		

NOTES

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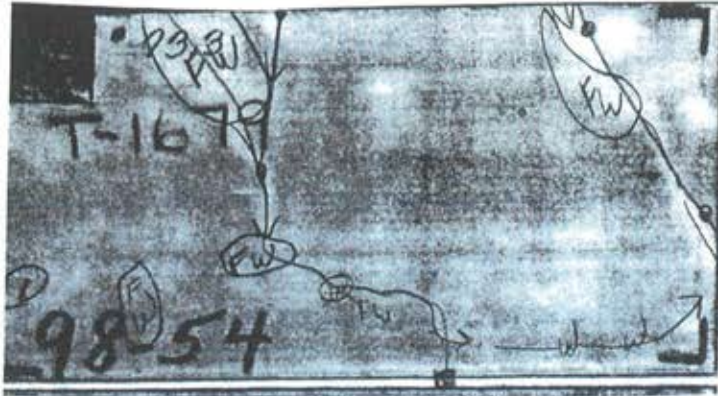
**RAYBURN FAMILY LAND AUCTION  
ADDITIONAL INFORMATION**

THIS PROPERTY HAS TWO DRAIN TILES THAT FLOW SOUTH ACROSS THE PROPERTY AND CONTINUE TO THE SOUTH. FAMILY MEMBERS ARE UNSURE OF THE SIZE OF THE TILE OR THE EXACT LOCATION. WE BELIEVE THE TILE IS EITHER CLAY OR CEMENT AND WAS HAND DUG IN. VESTED DRAINAGE RIGHTS THAT WERE FILED IN JANUARY 17, 1992 CLAIMS THE RIGHT OF DRAINAGE FROM THIS PROPERTY THROUGH TILES AND DITCHES ONTO THE NW ¼ AND NE ¼ OF SEC. 24 98-54 AND THE SE ¼ OF SECTION 13, 98-54.

THE ATTACHED WETLAND MAP SHOWS A LINE JUST TO THE EAST OF THE TREE GROVE AND ANOTHER LINE RUNNING IN THE NE CORNER OF THE PROPERTY. ACCORDING TO TURNER COUNTY FSA, BEFORE ANY ADDITIONAL TILING WOULD BE DONE A CERTIFIED WETLAND DETERMINATION WOULD NEED TO BE COMPLETED. REPAIR OR MAINTENANCE TO THE EXISTING LINE IS ALL THAT COULD BE DONE UNTIL A NEW DETERMINATION IS COMPLETED.

**WETLAND MAPS**

TRACT NOT CERTIFIED



S 1/2 SW 1/4

13-98-54



**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 N. Main, PO Box 489  
Parker, SD 57053

File No.: 16-TI-10968  
Applicant Order No.:

Loan No.:

1. Effective date: September 22, 2016 at 08:00 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:  
Susan J. Ehrk, Scott R. Rodman, Kathleen M. Neitzert, Richard Rayburn and Carol Rayburn
5. The land referred to in this Commitment is described as follows:  
The South Half of the Southwest Quarter (S 1/2 SW 1/4) of Section Thirteen (13), Township Ninety-Eight (98) North, Range Fifty-Four (54) West of the 5th P.M., Turner County, South Dakota.

**SCHEDULE B - SECTION I  
REQUIREMENTS**

1. THE COMPANY requires that a Warranty Deed be executed and recorded conveying title from Susan J. Ehrk, Scott R. Rodman, Kathleen M. Neitzert, Richard Rayburn and Carol Rayburn to the "TO BE DETERMINED" purchaser. The spouse of Susan J. Ehrk, Scott R. Rodman, Kathleen M. Neitzert, Richard Rayburn and Carol Rayburn are not disclosed by public records, however, their homestead interest must be extinguished at time of conveyance by joining vestees in the conveyance or by reciting in deed of conveyance a separate disclaimer of homestead rights.
2. You must tell us in writing the name of anyone not referred to in this Commitment who will receive an interest in the land or who will make a loan on the land. We may then 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. WARRANTY DEED, dated July 30, 1938, filed December 10, 1938 @ 2:30 P.M. and recorded in Book 69 of Deeds, page 169, Turner County Records, conveys to Turner County, South Dakota, a strip of land parallel to and adjacent to the regular public road right-of-way along the South side of Sec 13-98-54; said strip of land being 8 1/4 Feet wide and 2597.6 Feet more or less long and extending from the East boundary line of the regular public road right-of-way along the West side of Sec 13 to the North and South 1/4 line of said Sec 13; said strip being a part of the SW 1/4 Sec 13-98-54.
11. TRANSMISSION LINE RIGHT-OF-WAY EASEMENT, dated October 17 1977, filed October 20, 1977 @ 3:30 P.M. and recorded in Book 1 of Easements, page 465, 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 S 1/2 S 1/2 SW 1/4 Sec 13-98-54 to construct, reconstruct, repair, operate and maintain an electric transmission and/or distribution line or system thereon.
12. TRANSMISSION LINE RIGHT-OF-WAY EASEMENT, dated December 28, 1977, filed January 13, 1978 @ 9:45 A.M. and recorded in Book 33 of Misc., page 24, 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 S 1/2 S 1/2 SW 1/4 Sec 13-98-54 to construct, reconstruct, repair, operate and maintain an electric transmission and/or distribution line or system thereon.

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

13. VESTED DRAINAGE RIGHT FORM, dated December 13, 1991, filed January 17, 1992 @ 1:25 P.M. and recorded in Book 40 of Misc., page 710, Turner County Records, claims the right of drainage from the S 1/2 SW 1/4 Sec 13-98-54 through tiles and ditches onto the NW 1/4 and NE 1/4 Sec 24-98-54 and the SE 1/4 Sec 13-98-54.
14. 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 \$909.18 have been paid; the last half of the 2015 Real Estate Taxes payable in 2016 in the amount of \$909.18 are unpaid. Parcel ID#: 12000-09854-133-10
15. 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

WEDNESDAY NOVEMBER 16TH AT 10:30 A.M.

79.51 ACRES NORWAY TOWNSHIP – TURNER COUNTY LAND



**79.51 ACRES**

**Terms:** Cash sale with 15% (non-refundable) down payment with the balance on or before December 16th, 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. Buyer to receive full possession for the 2017 crop year. Sold subject to owners approval, and easements, and restrictions of record. Come prepared to buy and remember the auction to be held at the Wieman Auction Facility.