

AUCTION

THURSDAY JUNE 22nd AT 5:00 P.M.

9.21 ACRE OUTSTANDING HORSE ACREAGE



OWNER:

ROD & KANDI RUST



44628 SD HWY 44, Marion SD

web: wiemanauction.com

phone: 800-251-3111

fax: 605-648-3102

"We Sell The Earth And Everything On It!"

9.21 ACRE OUTSTANDING HORSE ACREAGE FEATURING 3-BEDROOM 2-STORY HOME – 2005 60 X 80 STEEL SPAN HEATED RIDING ARENA – BOX STALL BARN – PIPE FENCE CORRALS – FANTASTIC YARD & TREES THAT PROVIDE A PARK-LIKE SETTING ALL AT AUCTION

As we are moving to Kentucky, we will offer our acreage for sale at public auction located at 24968 476th Ave Dell Rapids, SD or from east edge of Baltic, SD go 2-miles east on 250th St. turn north ¼ mile on 476th Ave east side of the road on:

THURSDAY JUNE 22ND

5:00 P.M.

It is our privilege to offer this unique turn-key horse acreage that has been meticulously maintained. For 41-years the owners have worked to develop this property into a top notch equestrian acreage with pride of ownership bursting at every corner. Words cannot describe the property you have to see it in person you will not be disappointed! We invite you to check out the property at any of the upcoming open houses.

LEGAL: The South 585' of the North 1066.4' of the West 685' of the NW ¼ of the SW ¼ of Section 35, 104-49 Minnehaha County, South Dakota. Also known as 24968 476th Ave. Dell Rapids, SD.

- 3-Bedroom 2-story home with a total of 2063 sq ft of living area. Heating & Cooling systems replaced in 2016, Kitchen was remodeled in 2014, all new windows in 2009, great floor plan with ample storage and includes all appliances. Room sizes & pictures found in buyer's packet.
- 2005 Steel Span 60 X 80 riding arena that is attached by a office & bathroom area with walkway for horses to a 36 X 56 box stall barn with 6-stalls & rubber matted floors, wash bay, feed room, tack room, and is immaculate condition.
- Property has 5-paddocks that all have pipe fencing, automatic waterers and loafing sheds.
- The acreage has Rural Water plus a working well for the livestock waterers and the sprinkler system for the yard. 9.21 acres all in grass and a quiet secluded setting.
- Annual Taxes are \$3,303.50. Other features include 22 X 30 detached 3-stall garage with covered patio, ornate lawn/garden shed, and several large, mature trees that offer ample shade and wind/snow protection.

TO INSPECT THE HOME: Open houses will be held on Thursday May 25th and Thursday June 1st from 5:00 to 7:00 p.m. and on Sunday June 12th from 2:00 to 4:00 p.m. or you may visit

www.wiemanauktion.com for a video and pictures of the property along with a buyer's packet.

TERMS: Cash sale with \$50,000 (non-refundable) down payment auction day with the balance on or before July 25, 2017. Title insurance to be used with the cost split 50-50 between buyer and seller and warranty deed to be granted. Taxes will be prorated to closing date and new buyer will receive full possession at closing. Property is being sold subject to owners confirmation. No financing concessions or inspections will be accepted or allowed, so please have your finances in order and be prepared to buy this awesome acreage!

ROD & KANDI RUST – OWNERS

Wieman Land & Auction Co. Inc.
Marion, SD 800-251-3111
www.wiemanauktion.com

First Dakota Title
Closing Agent
605-338-6505

ROD & KANDI RUST ACREAGE AUCTION
24968 476TH AVE
DELL RAPIDS, SD

ADDITIONAL INFORMATION

ROOM SIZES ARE AS FOLLOWS:

KITCHEN	15.5 X 15.8 WHITE PINE FLOORS
DINING	15.7 X 15.2 LARGE WINDOW TO SOUTH WHITE PINE FLOORS
LIVING	15.7 X 13.9 FRENCH DOORS TO PATIO
DEN/OFFICE	12.11 X 9.1 FRENCH DOORS TO LIVING ROOM
MASTER BED	17.3 X 15.8 TWO LARGE CLOSETS
BED #2	11.1 X 12.9
BED #3	15.7 X 12.4 CEDAR CLOSET
FULL BATH	2 ND FLOOR
¾ BATH	MAIN FLOOR WITH LARGE WALK-IN SHOWER
LAUNDRY	5.1 x 8.8 WITH MUD ROOM

APPLIANCES ARE TO REMAIN WITH THE HOME AND INCLUDE

LG FLAT TOP 30" STOVE
KENMORE DISHWASHER SATIN FINISH
LG DOUBLE DOOR REFRIGERATOR FREEZER ON BOTTOM
WHIRLPOOL DRYER
KENMORE WASHING MACHINE

ITEMS THAT ARE BEING REMOVED FROM THE PROPERTY

ALL GAS PUMPS AND GAS & OIL SIGNS
ALL LANDSCAPE AND GARDEN ART
FORD MODEL T TRUCK (LAWN ART)

ITEMS THAT ARE STAYING WITH THE PROPERTY

ALL WINDOW AND FLOOR COVERINGS
APPROX. 300 BALES OF GRASS HAY IN LOFT
ALL HAY FEEDERS IN BOX STALLS
ANY AND ALL GATES THAT ARE IN THE PENS
500 GAL LP TANK IS LEASED FROM KOOPAN GAS
CULLIGAN WATER SOFTNER IS LEASED

WELL ON THE PROPERTY HAS A 4" CASING 150' DEEP WITH SUBMERSIBLE PUMP. CURRENTLY USED FOR SPRINKLER SYSTEM AND LIVESTOCK WATERING.

PROPERTY HAS (2) 10 X 20 AND ONE 10 X 30 LOAFING/TURN OUT SHED FOR HORSES/LIVESTOCK

Aerial Map



map center: 43° 46' 5.93, -96° 40' 51.62

0ft 810ft 1621ft

35-104N-49W
Minnehaha County
South Dakota



5/4/2017



Maps Provided By:



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www.AgriDataInc.com

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

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 Rodney Rust & Candy Rust Property Address 24968 476th Avenue Dell Rapids SD 57022

This Disclosure Statement concerns the real property identified above situated in the City of _____
County of Minnehaha, 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? 1976

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? n/a
 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: Approx. 2006
 What roof repairs, if any, have been made, when and by whom? _____
 Describe any existing unrepaired damage to the roof: n/a
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 Systems/Drains	✓	✓	
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	with Culligan	Leased \$25/month	
39. Well and Pump		4" casing 150' deep	
40. Wood Burning Stove	✓		

Leased 500 LP tank
with Propan Gas

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.

ARK
MK

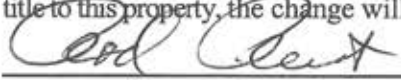
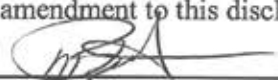
V. MISCELLANEOUS INFORMATION

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? has been eliminated/removed
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? new Pura Water
6. If private, what is the date and result of the last water test? never had test completed
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? May 2016
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>5/9/17</u>		<u>5/9/17</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
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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)

MP (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.

MP (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)

____ (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.

[Signature] 5/9/17
Seller Date

____ Buyer Date

[Signature] 5/9/17
Seller Date

____ Buyer Date

[Signature] 5-9-17
Agent Date

____ Agent Date

Minnehaha County

Note: The legal description provided may not be complete and should be viewed at the Minnehaha County Register of Deeds Office.

Property details for: 24968 476TH

Property Information:

Street Address: 24968 476TH AVE

Legal Description: S58S' N1066.4' W68S' NW 1/4 SW 1/4 35 104 49

Parcel Number: 18952

School District Code: 491

Date Structure was Built: 0

Billing Number: 10725

Total Property Size: 0.00

Township: DELL RPDS TWP

Valuations: Assessment Year 2016

Agricultural Land Value: \$0.00

Non-Agricultural Land Value: \$69,953.00

Agricultural Building Value: \$0.00

Non-Agricultural Building Value: \$178,772.00

2015 Taxes Payable in 2016: \$3,285.58

Payments: Taxes Payable 2017

2016 Taxes Payable in 2017: \$3,303.50

Tax Bill First Half due April 30: \$1,651.75

Tax Bill Second Half due October 31: \$1,651.75

Make a payment: Pay First Installment - \$1,651.75 ▼

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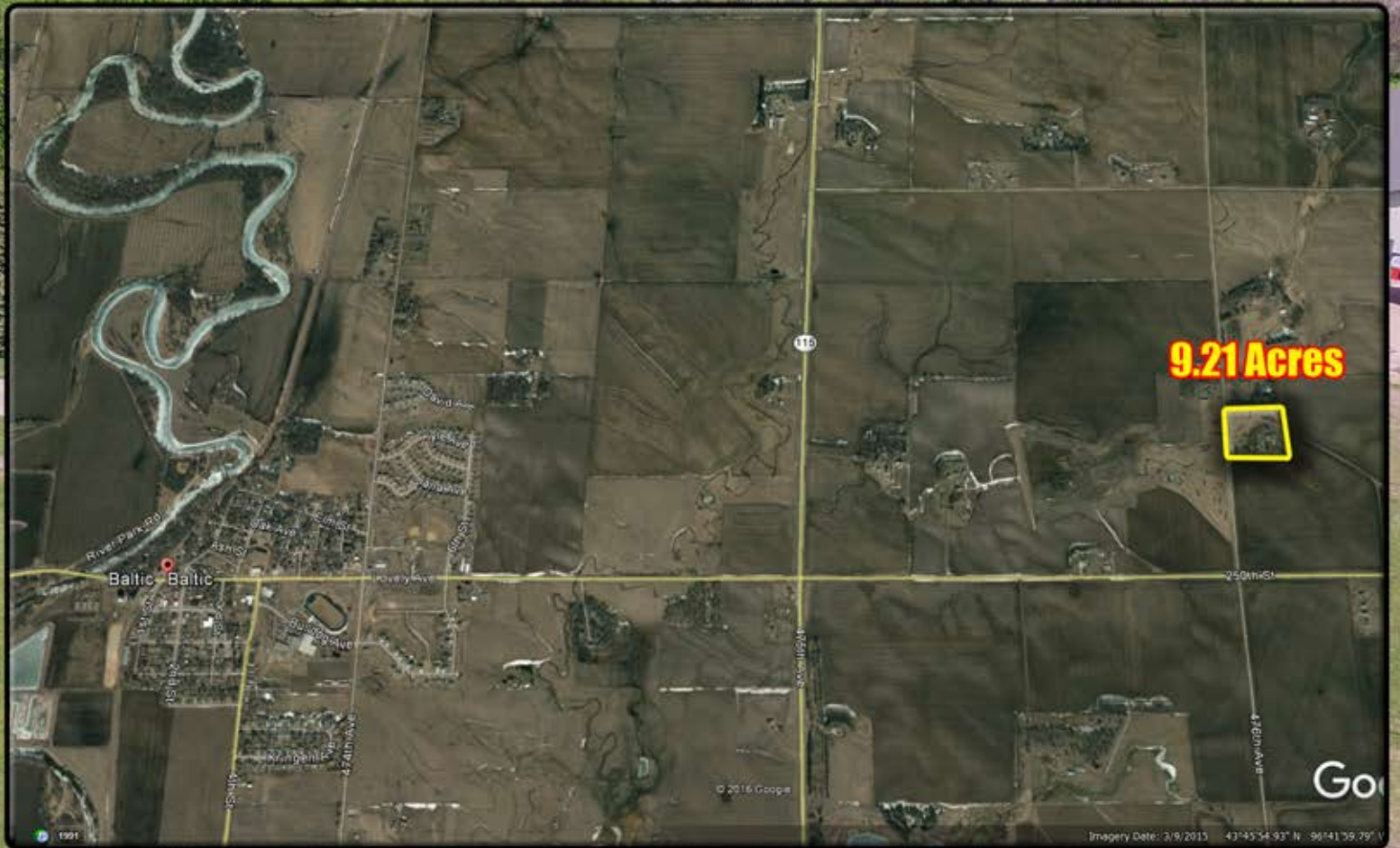
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THURSDAY JUNE 22nd AT 5:00 P.M.

9.21 ACRE OUTSTANDING HORSE ACREAGE



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