

**OWNERS: STACY MITTLER & TAMMY HUBERT**



# **ONLINE ACREAGE & PERSONAL PROPERTY AUCTION!**

**THURSDAY, NOVEMBER 21 - 2 PM**

***PROPERTY LOCATED AT:***

***43855 285TH ST FREEMAN SD***

**VISIT [WWW.WIEMANBID2BUY.COM](http://WWW.WIEMANBID2BUY.COM) TO  
VIEW FULL CATALOG AND BID!**

**OPEN HOUSES ON THURSDAY, NOV 7 & NOV 14 FROM  
5-7 p.m. or call Derek Wieman @ 605-660-2135 to set  
up private showing!**

Complete terms, catalog & more photos at  
**[WiemanAuction.com](http://WiemanAuction.com)**

800.251.3111 | Marion, SD | [WiemanAuction.com](http://WiemanAuction.com)  
Wieman Land & Auction Inc., 44628 SD HWY 44, Marion SD 57043

## **THE PROPERTY**

- 16.77 improved acreage only 1/2 mile of Hwy 81 one mile North of Meridian Corner
- 2 bedroom ranch style home with full basement and 5 outbuildings and double attached garage.
- Nice shelterbelt with stock dam and 7 additional acres of hay/pasture.
- Nice location on dead end road with lots of privacy and easy highway access!
- Low maintenance electric furnace and air conditioner with full unfinished basement
- Annual real estate taxes are \$1,228.88
- Cozy little home and nice acreage that is move-in ready!
- See website for more pics & aerial footage





## REAL ESTATE WILL SELL ONLINE AT 2 P.M.

The acreage consists of 16.77 improved acres located just ½ mile off US Hwy 81. It has a Ranch Style home with full unfinished basement built in 1950 along with 5 outbuildings and approximately 7 acres of pasture/hay ground. The house has attached 24'x22' garage w/ 2 OH doors; 2 bedrooms w/ closets (11'x10' and 10'x12'), 9'x12' office, 15'x14' living room, 15'x11' kitchen w/ built-in cupboards, hardwood floors, stove and refrigerator, full bathroom w/ tub/shower combo, 20'x13' entry/living room, electric forced air furnace w/ air conditioner and washer and dryer hookups in the basement. Other improvements include 36'x25' insulated shop w/ OH door and lean-tos on back and side, 40'x48' pole livestock shed, 48'x20' pole livestock shed, 28'x60' storage building w/ dirt floor and sliding doors and 12'x16' garden shed on slab. The property has a nice shelter belt and is located on dead end gravel road just ½ mile off US Hwy 81! A nice cozy little home that is move-in ready! The property has a lot of potential! The property has a tax assessed value of \$104,780 and the current real estate taxes are \$1,228.88. To see more pictures and bid, visit [WiemanBid2Buy.com](http://WiemanBid2Buy.com).

To view the property: Open Houses on Thursday, November 7th 5-7 PM and Thursday November 14th 5-7 PM or call Derek Wieman 605-660-2135 to setup a private showing. For Buyers Packet and Pictures, visit our website at [www.wiemanauktion.com](http://www.wiemanauktion.com)

LEGAL: Wipf Tract 1 in the Northwest ¼ of the Northeast ¼ (NW1/4, NE1/4) of Section 2-97-56, Hutchinson County, South Dakota.

TERMS: Cash sale with \$15,000 nonrefundable down payment and the balance on or before December 20th. The buyer must be able to sign a purchase agreement and pay the down payment within 24 hours of the auction closing. A Warranty Deed will be provided. Title Insurance will be utilized with the cost split 50/50 between buyer and seller. Real Estate Taxes will be prorated to the date of possession. Possession will be granted upon final settlement. The property is being sold unreserved to the highest bidder! Wieman Land & Auction Co., Inc. is representing the seller in this transaction. No Buyer Brokerage is offered on this transaction.

SPECIAL ONLINE ONLY TERMS: The Real Estate will be sold at Online Only Auction via [www.WiemanBid-2Buy.com](http://www.WiemanBid-2Buy.com). In order to be approved to bid, a bank prequalification letter must be submitted to the auctioneers by email, mail, fax, or dropped off to the office at least 24 hours in advance. There are NO buyer's premiums or extra charges. This auction will use a "Soft Close". Soft Close means, any bid placed in the last 2 minutes will extend the bidding by 2 minutes until no more bids are placed in the buffer and the property will then be considered sold.



Complete terms, catalog & more photos at  
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# 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.)

Stacy Mitttleider & Tammy Hubert

Seller (~~fka Tammy Mitttleider~~)

Property Address 43855 285th St, Freeman SD 57029

This Disclosure Statement concerns the real property identified above situated in the City of N/A

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? ~~1998~~ 1997

*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? None, minor wall cracks in foundation
5. Are you aware of any roof leakage, past or present? Yes \_\_\_ No   
 Type of roof covering: Tin on Roof, Shingles on Garage Age: 2017 tin  
 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 - <i>Electric</i>		✓	
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- <u>Electric</u> 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		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? NA
- 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? October 2019
- 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 Chainlink fence, some window covering
- 11. Are you aware of any other material facts or problems that have not been disclosed on this form?  
Yes \_\_\_\_\_ No  If yes, explain: \_\_\_\_\_

VL ADDITIONAL COMMENTS (ATTACH ADDITIONAL PAGES IF NECESSARY)

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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.

[Signature] 10/11/2019  \_\_\_\_\_  
 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



## 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)

III (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)

       (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>      </u> Seller	<u>10/11/2019</u> Date	<u>      </u> Buyer	<u>      </u> Date
<u>      </u> Seller	<u>      </u> Date	<u>      </u> Buyer	<u>      </u> Date
<u>      </u> Agent	<u>10/11/19</u> Date	<u>      </u> Agent	<u>      </u> Date

**PERSONAL PROPERTY SELLS AFTER ACREAGE WITH LOTS BEGINNING TO CLOSE AT 4:00 PM**

**SKID LOADER – TRACTORS – TRAILERS – MACHINERY – TOOLS**

2005 Bobcat S175 Skid Loader, 2178 hrs, 12-16.5 tires, aux hyd, open cab, hand & foot controls, new wiring harness, runs good; 42" Pallet Forks for skid steer; 66" Utility Fork for skid steer; 1980 JD 4240 w/ 2007 Koyker 510 Loader w/ grapple, Quad Range, 3 pt, 2 hyd, 18.4x38 tires, new batteries & starter; 1969 MF 1100 diesel w/ Waldon 10' dozer, 6175 hrs, multi power, 3 pt, 2 hyd, 18.4x34 tires, runs good; 1960 Farmall 460 Diesel, Schwartz WF, PTO, 1 hyd, runs; 1958 Farmall 460 Gas, WF, PTO, 1 hyd, no 3pt, runs good; 2016 Vanguard 53'x102" Dry Van Trailer; 1998 Trail Mobile 53' Dry Van Trailer; 2010 PJ 36'x102" GN Flatbed, dove tail w/ flip over ramps, tandem dually; 1998 Dodge 1500 Pickup, V8, auto, 4x4, runs, good title; IHC 490 21' Disk, no harrow; FH F11 Loader; Apache 24' Portable Hay Feeder, TA; NH Hayliner 268 Sq Baler; 750 PT Sprayer, boomless nozzles, hyd pump; IHC 3 Bottom PT Plow; Hubbard PT Creep Feeder; Huskee Gravity Box w/ gear; 2-Old PT Sprayer Tanks; Numerous 6 Bar x 20' Continuous Fence; Rural MFG Gates (10', 12' & 18'); 12'x 20' & 12'x16' Calf Shelters; Powder River Head Gate; Rural Round Bale Feeder; Large Assort of Cattle Panels; RR Ties; 65 Gal Poly Tank; Pax Feeder; 2- 16' Wood Feed Bunks; Rural Sheep Feeder; 18.4x38 9 Bolt Duals; Pickup Fuel Tank w/ Pump; Rural 3pt Bale Fork; Bale Spear for Koyker Loader; 2- 300 Gal OH Fuel Tanks; 24" Alum Truck Box; Load Binders; 7- Rolls of Woven Wire; Huskee LT4600 Riding Mower; Cal-Hawk Bench Drill Press; Pro-Tech Chop Saw; Harris Oxy-Ace Torch w/ Cart; Lincoln Arc Welder; 2- 1" Air Impacts; 3- ½" Air Impacts; Rolling Floor Jack; Bee Equip: Approx 200 Empty Bee Hives; Approx 400 Honey Supers; Cowen Uncapper & Dadent Honey Extractor; 225 Gal of Bee Feed; and more! Visit [WiemanBid2Buy.com](http://WiemanBid2Buy.com) to view the entire catalog and bid your price!

**STACY MITTLEIDER & TAMMY HUBERT - OWNERS**

Stacy: 605-366-3539 or Tammy: 605-305-0581



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