

146.18 ACRES

McCOOK COUNTY LAND

- WEDNESDAY, OCTOBER 30TH AT 10:30AM -



GAIL KEPHART,
COLLEEN K. JOHNSON AND
BUEHNER
RHONDA TRAUTMANN
OWNERS

CELEBRATING **75** YEARS
WIEMAN
LAND & AUCTION
AND FOUR GENERATIONS

"We Sell The Earth And Everything On It!"

800.251.3111 | Marion, SD | WiemanAuction.com

Wieman Land & Auction Inc., 44628 SD HWY 44, Marion SD 57043

**146.18 ACRES CANISTOTA TOWNSHIP – McCOOK COUNTY LAND
POWERFUL – ALL TILLABLE – GREAT EYE APPEAL – AT AUCTION**

The daughters of Gilbert & Elsie Buehner have decided to sell the following land at public auction at the Wieman Auction Facility located 1-mile south and ½ mile west of Marion, SD on Hwy. 44 on:

WEDNESDAY OCT. 30TH 2024

10:30 A.M.

It is our privilege to offer this outstanding, powerful, tract of land located in the tightly held Canistota Twp. of McCook County. New buyer will be able to lease out or farm for the 2025 crop year. 92% of this tract has only 1-soil type providing ease of management and predictable yield potential. Come take a look!

LEGAL: The NW ¼ of Section 28, 102-54 except the North 33 rods of the East 67 rods thereof McCook County, South Dakota.

LOCATION: From the NW corner of Canistota, go 1 ½ miles west on 261st St. turn north on 444th Ave go ½ mile located on the east side of the road or at the junction of 444th Ave and 260th St.

- 143.21 acres tillable with the balance in road right of ways. Acreage in NE corner is out. 3-Building Eligibility will transfer with deed.
- Soil production rating of 80.3. Predominant soil Clarno-Crossplain complex (82)
- Property is planted to a corn and soybean rotation with 9.11 acres in pasture/hay along the eastern boundary.
- Aerial & Soil maps, Base & Yield info, and other pertinent information found in the buyers packet.

TO INSPECT THE PROPERTY: We invite you to inspect the property at your convenience. Drone video footage and buyers packet can be viewed by visiting www.wiemanauktion.com or contact the auctioneers at 800-251-3111 and packet can be mailed out.

TERMS: Cash sale with 15% (non-refundable) auction day with the balance on or before December 2nd, 2024. Warranty deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Sellers to pay the 2024 taxes in full. New buyer to pay all 2025 taxes. First Dakota Title in Sioux Falls, SD to act as the closing agent. Sold subject to all easements of record. Remember auction held indoors at the Wieman Auction Facility.

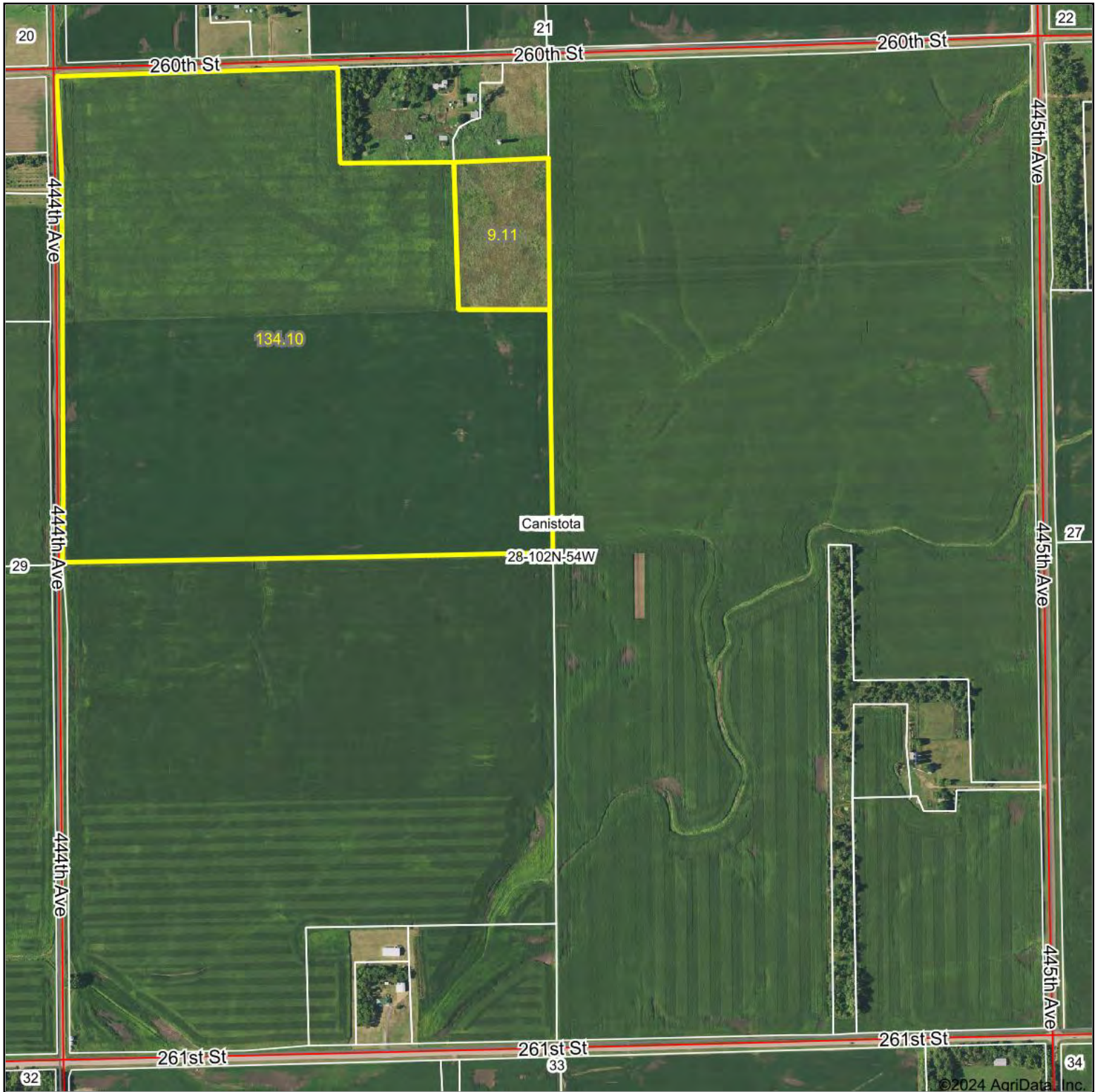
GAIL KEPHART – COLLEEN K. JOHNSON – RHONDA TRAUTMANN – OWNERS

Wieman Land & Auction Co. Inc.

Marion, SD 800-251-3111

www.wiemanauktion.com

Aerial Map

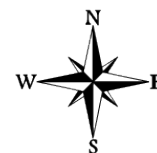


Boundary Center: 43° 36' 43.55, -97° 19' 20.44

0ft 831ft 1662ft

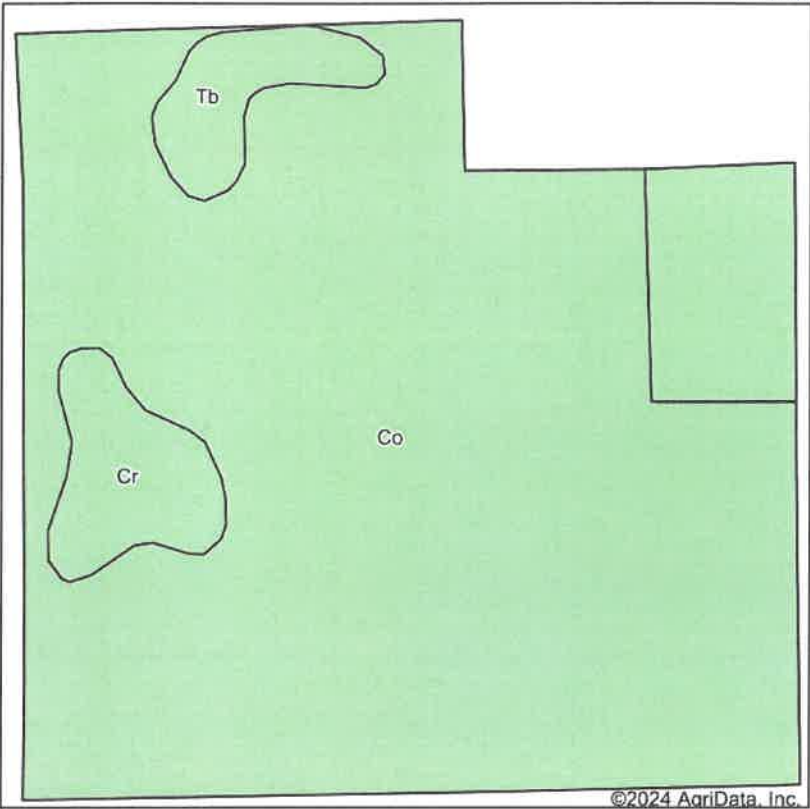
Maps Provided By:
surety
CUSTOMIZED ONLINE MAPPING
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28-102N-54W
McCook County
South Dakota



8/23/2024

Soils Map



State: **South Dakota**
County: **McCook**
Location: **28-102N-54W**
Township: **Canistota**
Acres: **143.21**
Date: **4/29/2024**



Maps Provided By:



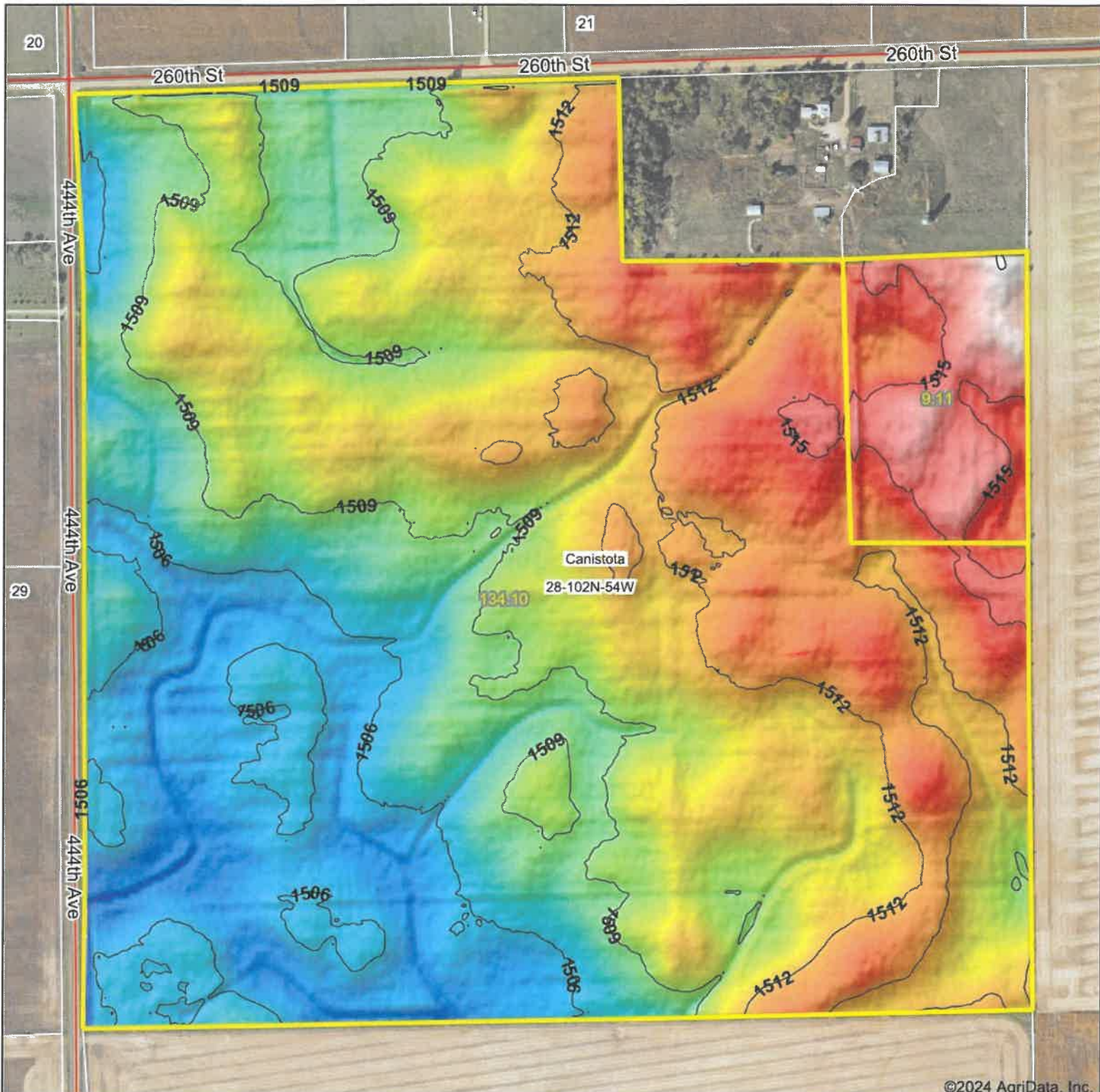
Soils data provided by USDA and NRCS.

Area Symbol: SD087, Soil Area Version: 25					
Code	Soil Description	Acres	Percent of field	Non-Irr Class *c	Productivity Index
Co	Clarno-Crossplain complex, 0 to 2 percent slopes	131.31	91.7%	IIc	82
Cr	Crossplain-Dudley complex	6.82	4.8%	IIw	66
Tb	Tetonka silt loam, 0 to 1 percent slopes	5.08	3.5%	IVw	56
Weighted Average				2.07	80.3

*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

Topography Hillshade





United States
Department of
Agriculture

McCook County, South Dakota



Common Land Unit ☐ PLSS

- ☐ Cropland
- ☐ Tract Boundary

Wetland Determination Identifiers

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

Unless otherwise noted,
crops listed below are:
Non-irrigated
intended for Grain
Corn = Yellow
Soybeans = Common
Wheat - HRS or HRW
Sunflowers = Oil or Non

Producer Initial _____
Date _____

2024 Program Year

Map Created May 28, 2024

Farm 5760

28-102N-54W-McCook

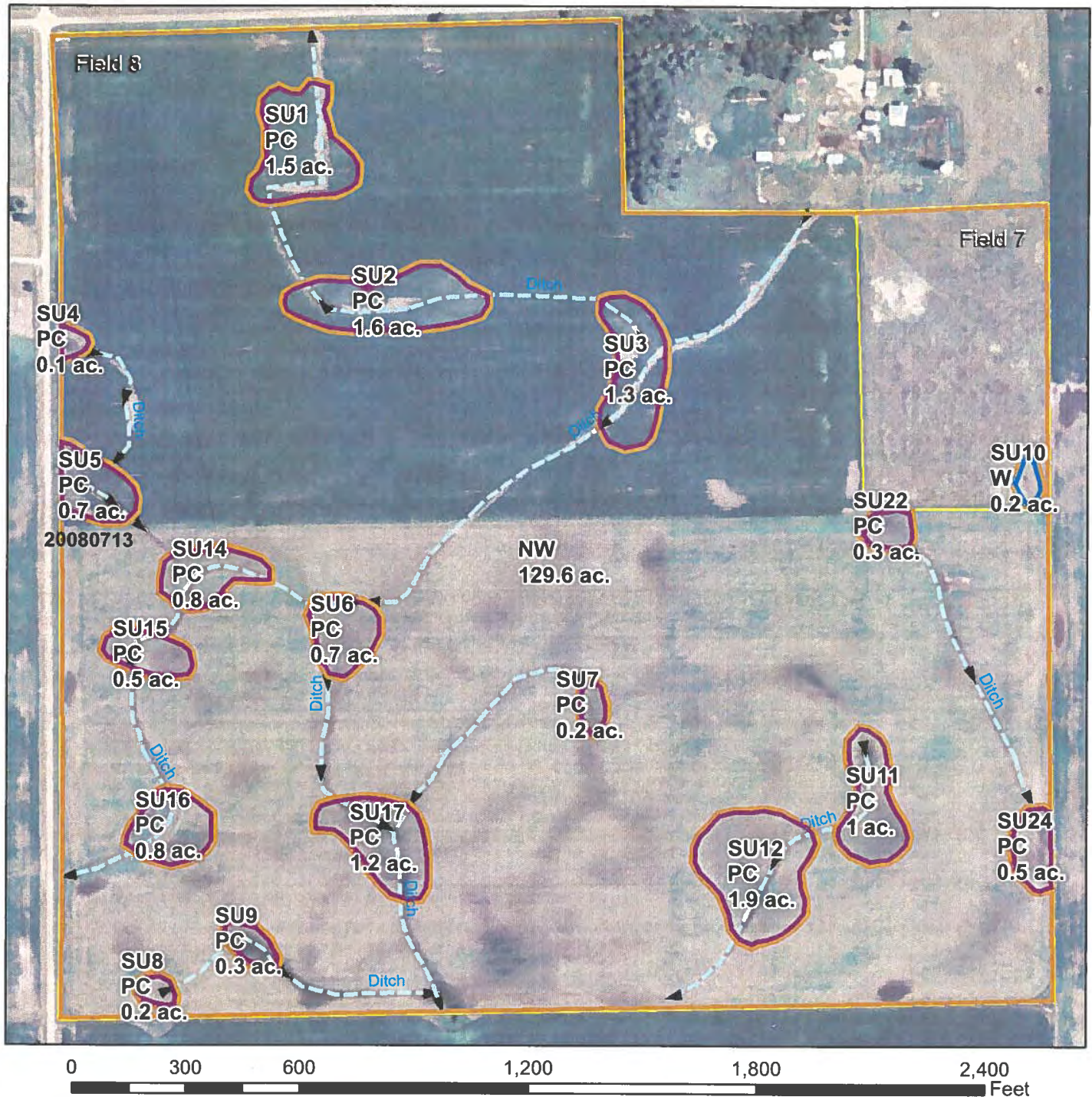
United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (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).



Certified Wetland Determination

Customer: Gilbert Buehner
Tract: 3838, part NW4 28-102-54

1/3/2020



McCook County

1:4,542 1 inch = 379 feet



SOUTH DAKOTA
MCCOOK

Form: FSA-156EZ

See Page 2 for non-discriminatory Statements.



United States Department of Agriculture
Farm Service Agency

Abbreviated 156 Farm Record

FARM : 5760

Prepared : 7/29/24 7:29 AM CST

Crop Year : 2024

Operator Name : JUDY SCHOCK
CRP Contract Number(s) : None
Recon ID : 46-087-2009-13
Transferred From : None
ARCPLC G//F Eligibility : Eligible

Farm Land Data

Farmland	Cropland	DCP Cropland	WBP	EWP	WRP	GRP	Sugarcane	Farm Status	Number Of Tracts
143.21	143.21	143.21	0.00	0.00	0.00	0.00	0.0	Active	1
State Conservation	Other Conservation	Effective DCP Cropland		Double Cropped		CRP	MPL	DCP Ag.Rel. Activity	SOD
0.00	0.00	143.21		0.00		0.00	0.00	0.00	0.00

Crop Election Choice

ARC Individual	ARC County	Price Loss Coverage
None	None	CORN, SOYBN

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield	HIP
Corn	65.00	0.00	124	
Soybeans	65.00	0.00	39	
TOTAL	130.00	0.00		

NOTES

Tract Number : 3838
Description : NW 28 102 54 EXC NE 14 AC. LOT
FSA Physical Location : SOUTH DAKOTA/MCCOOK
ANSI Physical Location : SOUTH DAKOTA/MCCOOK
BIA Unit Range Number :
HEL Status : NHEL: No agricultural commodity planted on undetermined fields
Wetland Status : Tract contains a wetland or farmed wetland
WL Violations : None
Owners : GAIL KEPHART, COLLEEN K JOHNSON, RHONDA TRAUTMANN
Other Producers :
Recon ID : None

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	EWP	WRP	GRP	Sugarcane
143.21	143.21	143.21	0.00	0.00	0.00	0.00	0.0

SOUTH DAKOTA
MCCOOK
Form: FSA-156EZ



United States Department of Agriculture
Farm Service Agency

Abbreviated 156 Farm Record

FARM : 5760
Prepared : 7/29/24 7:29 AM CST
Crop Year : 2024

Tract 3838 Continued ...

State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	CRP	MPL	DCP Ag. Rel Activity	SOD
0.00	0.00	143.21	0.00	0.00	0.00	0.00	0.00

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield
Corn	65.00	0.00	124
Soybeans	65.00	0.00	39
TOTAL	130.00	0.00	

NOTES

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In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-6339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.eser.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail, U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410, (2) fax (202) 690-7442, or (3) e-mail program.discrimination@usda.gov. USDA is an equal opportunity provider, employer, and lender.

Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: McCook County Abstract & Title Insurance, Ltd.
Issuing Office: 401 N. Nebraska St., P.O. Box 506, Salem, SD 57058
Issuing Office's ALTA® Registry ID:
Loan ID No.:
Commitment No.: TI-9740
Issuing Office File No.: TI-9740
Property Address: Not Applicable, ,

SCHEDULE A

1. Commitment Date: July 30, 2024 at 07:00 AM
2. Policy to be issued:
 - a. ALTA Own. Policy (07/01/21)
Proposed Insured: TO BE DETERMINED
Proposed Amount of Insurance:
The estate or interest to be insured: Fee Simple
3. The estate or interest in the Land at the Commitment Date is: Fee Simple
4. The Title is, at the Commitment Date, vested in:
GAIL KEPHART and COLLEEN K. JOHNSON and RHONDA TRAUTMANN, AS TENANTS IN COMMON.
5. The Land is described as follows:

THE NORTHWEST QUARTER (NW1/4) OF SECTION TWENTY EIGHT (28), TOWNSHIP ONE HUNDRED TWO (102) NORTH, RANGE FIFTY FOUR (54), West of the 5th P.M., EXCEPT THE NORTH 33 RODS (N. 33 Rds.) OF THE EAST 67 RODS (E. 67 Rds.) THEREOF, McCook County, South Dakota.

By:


McCook County Abstract & Title Ins. Ltd.

This page is only a part of a 2021 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

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(TI-9740.PFD/TI-9740/1)

SCHEDULE B, PART I - Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Requirements may be included as Special Exceptions on SCHEDULE B, PART II.
6. Marital status of any Grantor &/or Mortgagor must be stated on the documents to be insured by the policies (Ownership Deed and/or Mortgage). If married, spouses must sign documents.
7. Seller/Mortgagor Affidavit and/or Purchaser Affidavit (PROVIDED WITH THIS COMMITMENT) to be executed and returned to McCook County Abstract & Title.
8. Pursuant to SDCL 29A-6-427, an AFFIDAVIT OF CONFIRMATION is required to be recorded to terminate the Revocable Transfer on Deed recorded in Book 187 of Deeds, Page 597.

SCHEDULE B, PART II - Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.
2. General Exceptions:
 1. Rights or claim 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 and physical 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.*

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(TI-9740.PFD/TI-9740/2)

SCHEDULE B
(Continued)

6. Taxes or special assessments which are not shown as existing liens 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, mineral rights, or related matters, including but not limited to oil, gas, coal, and other hydrocarbons.*

Special Exceptions:

3. Any charges for municipal &/or rural services (i.e. water, sewer, correction of nuisance conditions, etc.) are the responsibility of the parties to this transaction. For information regarding the existence of any such bills, contact the appropriate municipal office.
4. Accrued taxes and assessments for the year 2024 and subsequent years, not yet due or delinquent.
NOTE: 2023 Real Estate Taxes payable in 2024 (Parcel # 10.28.2001 / \$3,511.04) are PAID IN FULL.
5. This preliminary & informational commitment provides no title insurance. Once a buyer and purchase amount is available, contact our office to update and issue an "official" commitment. Additional Requirements & Exceptions may apply at that time.
6. Rights of tenants in possession under the terms of unrecorded leases.
7. REVOCABLE TRANSFER ON DEATH DEED executed by Gilbert E. Buehner and Elsie M. Buehner, husband and wife -to- Gail Kephart and Colleen Johnson and Rhonda Trautmann; dated February 1, 2016; FILED February 8, 2016 at 8:30 A.M. and recorded in Book 187 of Deeds, Page 597. (SEE ATTACHED COPY)
8. BURIED EXCHANGE FACILITY EASEMENT executed by Gilbert E. Buehner and Elsie M. Buehner -to- Northwestern Bell Telephone Company; dated August 25, 1969; FILED August 29, 1969 at 9:45 A.M. and recorded in Book 131 of Deeds, Page 67. (Describes W1/2NW1/4 28-102-54)
9. RIGHT OF WAY EASEMENT executed by Gilbert E. Buehner and Elsie M. Buehner -to- TM Rural Water District; dated January 25, 1983; FILED July 24, 1984 at 1:47 P.M. and recorded in Book 145 of Deeds, Page 500.
10. VESTED DRAINAGE RIGHT executed by Gilbert E. Buehner and Elsie M. Buehner -to- The Public; dated March 5, 1991; FILED March 5, 1991 at 1:50 P.M. and recorded in Book 155 of Deeds, Pages 133-135. (Describes NW1/4 28-102-54 as the dominant estate)
11. ASSIGNMENT AND ASSUMPTION OF RIGHT OF WAY EASEMENT executed by US West Communications, Inc., successor in interest to Northwestern Bell Telephone Company; dated June 21, 1996; FILED July 10, 1996 at 3:35 P.M. and recorded in Book 168 of Deeds, Pages 469-497. (Assigns Book 131 of Deeds, Page 67)
12. Statutory Easement for highway along the section line (or lines) bounding (or within) the land herein described.

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(TI-9740.PFD/TI-9740/2)





[illegible]

146.18 ACRES

McCOOK COUNTY LAND

**WEDNESDAY,
OCTOBER 30TH
AT 10:30AM**

*Auction will be held at the
Wieman Auction Facility
near Marion, SD*



TERMS: Cash sale with 15% (non-refundable) auction day with the balance on or before December 2nd, 2024. Warranty deed to be granted with the cost of title insurance split 50-50 between buyer and seller. Sellers to pay the 2024 taxes in full. New buyer to pay all 2025 taxes. First Dakota Title in Sioux Falls, SD to act as the closing agent. Sold subject to all easements of record. Remember auction held indoors at the Wieman Auction Facility.

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