NELSON LAND AUCTION

Location Location Location!

Chuck Sutton Auctioneer & Land Broker, LLC

1116 N. West Ave.
Sioux Falls, SD 57104

DAN UTHE - Auctioneer & RE Broker Associate - Sioux Falls, SD - ph. 605-351-2230

JARED SUTTON, CAI – RE Auctioneer & Broker Assoc. - Flandreau, SD - ph. 605-864-8527

DEAN GULBRANSON – RE Auctioneer – Madison, SD – ph. 605-695-0133

ATTENTION - Developers, Investors, Contractors & Entrepreneurs

+/-159.5 Surveyed Acres of Prime Potential Development Land Located in Medary Township, Brookings County, SD Lying Within Approx. 1 Mile of Brookings, SD and Lying Adjacent to South Main Avenue/Co. Hwy. #77 and Near the South Main Fire Station, Dakota Prairie Elementary School, Fishback Indoor Training Facility & Nearby Developed and Developing Commercial, Residential & Multi Family Housing

FRIDAY MARCH 31, 2023

SALE TIME: 10:00 AM

We will offer the following real property at auction "On Site" at the land which is located from the South Main Fire Station at the Jct. of 26th St. S. & S. Main Ave. (Co. Hwy #77) – approx. 1 mile south; the Southeast Corner of the Land is at the Jct. of S. Main Ave./Co. Hwy. #77 & South 44th St./216th St. and the SW Corner is at the Jct. of S. Western Ave./470th Ave. and S. 44th St./216th St. – Located at the "S" Curve South of Brookings & the Sinai Road

WWW.SUTTONAUCTION.COM

ATTENTION - Developers, Investors, Contractors & Entrepreneurs: This auction presents a "Very Rare" and "Once in a Lifetime Opportunity" to purchase this land situated within a close proximity to Brookings, SD that has been owned by the Nelson Family for many decades, which now comes to the market due to the recent deaths of both Wes and Gail Nelson. This land has remarkable unbridled potential with this land lying on the cusp of future development and the ongoing southerly expansion to the City of Brookings, SD. This property is located near numerous area professional, educational, retail and residential enterprises being both currently built and developing in southern Brookings, SD. ***If you are in the market for a parcel of land which has a great deal of present and future potential in tempo with the southerly development of the City of Brookings, SD – a rapidly developing community and the home of South Dakota State University, then this is a property that deserves your utmost attention.***

This property will be offered as:
PARCEL #1 – The North +/- 79.2 Acres
PARCEL #2 – the South +/- 80.3 Acres or as
PARCELS #1 & #2 Combined the +/-159.5 Acre Unit.

This parcel of land as a whole is especially unique, especially due to the fact that this land is bordered by existing roadways on 3 sides – On the East by South Main Ave./Co. Hwy. 77, on the South by 44th St. South/216th St. and on the West by South Western Ave./470th Ave. Currently this property is not within Brookings, SD City Limits, although there are existing rural housing developments within the same section. According to the City of Brookings Planning and Zoning Office - the Future Land Use Map of the 2040 Comprehensive Plan indicates the probable future utilizations being a mix of low density commercial and medium density residential, also this property is indicated as being in Phase 1 on the city annexation map, with any future zoning and development utilization pending upon approval of a comprehensive development plan and amendments – prospective buyers are encouraged to complete their own due diligence and direct specific development questions to Brookings City Planning & Zoning – ph. 605-697-8632. The buyer/developer to be responsible for any or all future development costs. This property presently is not serviced with any city utilities and buyers should independently research utility plans and services available with the Brookings City Engineers Office – ph. 605-697-8410. Of special note – the Nelson's granted an easement for installation water and sewer in 1977 and in 2021 an easement was granted for removal of previous water and sewer lines and for installation of new 36" sewer lines scheduled to be completed in 2 phases – with the first proposed phase on the Nelson property for 2023 to be along the east side (S. Main Ave.) and south side (44th St./216th St.); and the 2nd phase anticipated for 2024 or later along the west side of the property (Western Ave./470th Ave.); crop damage payments for 2023 (phase 1) to be retained by the tenant/owners with crop damage payment for phase 2 to be paid to the buyer(s) in 2024 or at such time phase 2 is underway. Furthermore, as part of the 1977 easement agreement the sellers shall have the right connect to the new sewer line with up to 4 individual residential connections.

Presently this property is zoned as agricultural land and is being utilized as agricultural farmland. According to current Brookings County Zoning this property has 4 rural housing eligibilities, subject to utilizing a minimum of 35 acres each. According to FSA information this property has approx. 149.32 acres of cropland with the non-tillable acres comprised of trees, waterways/drainage and roads, with an FSA 49.15 acre corn base with a 130 bu. PLC yield and a 64.45 acre soybean base with a 31 bu. PLC yield and a 15.30 acre wheat base with a 61 bu. yield, with the farm currently enrolled under the ARC County Election of the USDA farm program for corn and soybeans. There has not been an NRCS Certified Wetland Determination completed on this property. According to the Brookings Co. Assessor this parcel has an Overall Soil Rating of .550, comparatively info. obtained from Surety Agri Data, Inc. indicates that this farm has an overall productivity index of 49.5. The general topography of this property is level to gently rolling. The 2022 RE taxes payable in 2023 on this property are $3,404.48. **This land is sold subject to an existing farm lease for 2023, with the buyer to receive a seller's enhanced rental amount of $300.00 per acre on 159.5 Surveyed Acres for a total of $47,850.00, or an amount multiplied by the surveyed acres in each individual parcel, which will be credited to the buyer at closing, with full possession to be awarded subsequent to the harvest of the 2023 crops.**

LEGAL DESC.: The SW¼, Exc. Outlot 1, in Sec. 11, T. 109N., R. 50W., (Medary Twp.), Brookings County, SD.

TERMS: Cash - A 10% non-refundable down payment on the day of the sale and the balance on or before May 19, 2023, with landlord's possession, with the buyer to receive a Seller's Enhanced Rent of $300.00 per acre multiplied by the surveyed acres, which on the property as a whole would be $47,850.00 for 2023 and credited to the buyer(s) at closing. Marketable Title will be conveyed and Owner's Title Insurance will be provided with the cost of the owner's policy divided 50-50 and a closing agent's fee, if any, to be divided 50-50 between the buyer and seller. All of the 2022 RE taxes due and payable in 2023 will be paid by the Sellers, with all of the 2023 RE taxes payable in 2024 will be paid by the buyer(s). The acres being sold in this property are to be based on the acres as determined by a survey to be completed by Civil Design, Inc. Engineers & Land Surveyors, with the acres understood to be "more or less", with the survey costs paid by the owners. The sellers do not warrant or guarantee that existing fences lie on the true & correct boundary. Any new fencing or future maintenance of fences is the responsibility of the buyer in accordance with SD law. Presently this property is zoned agricultural and is under Brookings Co. Zoning Regulations and any future changes in zoning are subject to the Joint Jurisdictional Zoning of both the City of Brookings & Brookings County Planning and Zoning, and are subject to any applicable related zoning conditions and other requirements, with any or all future development costs to be the responsibility of the purchaser(s). This property is sold in "AS IS" condition and the merchantability or suitability of this property for any particular purpose is not guaranteed. The RE Licensees in this transaction stipulate that they are acting as agents for the seller. This property is sold subject to existing easements, restrictions, reservations or highways of record, if any, as well as any or all applicable Zoning Ordinances and/or County/City Zoning Requirements. Sold subject to confirmation of the Trustee.

Broker Participation Welcome – Cooperating Brokers must pre-register prior to the day of the auction & meet the requirements for Broker's Participation to qualify for a 1% commission. For details and pre-registration forms, contact Chuck Sutton Auctioneer & Land Broker, LLC – email – office@suttonauction.com or ph. 605-336-6315**
To View a Drone Video of the Properties or for additional information see www.suttonauction.com

To make arrangements for absentee bidding contact Sutton Auction.

THE WESLEY C. NELSON & GAIL NELSON TRUSTS, Owner
Charles A. Nelson, Trustee

CHUCK SUTTON - Auctioneer & Land Broker - Sioux Falls, SD - ph. 605-336-6315
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DON'T JUST HAPPEN . . .
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WE DON'T JUST PROMISE IT -
WE PROVE IT!
CALL US TODAY TO PLAN YOURS!
605-336-6315

CHUCK SUTTON
AUCTIONEER & LAND BROKER LLC

Prepared By:
CIVIL DESIGN INC
Civil Engineers & Land Surveyors
Brookings, South Dakota
Ph. 605-696-3200

LEGAL DESCRIPTION

PARCEL 1: THE NORTH 1/2 OF THE SW 1/4 EXCEPT OUTLOT 1 OF THE NE 1/4 OF THE SW 1/4 ALL IN SECTION 11, TOWNSHIP 109 NORTH, RANGE 50 WEST OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA. SUBJECT TO PUBLIC ROAD RIGHT-OF-WAY AND EASEMENTS OF RECORD.

CONTAINING 79.2 ACRES MORE OR LESS OF WHICH 1.9 ACRES MORE OR LESS IS PUBLIC ROAD RIGHT-OF-WAY.

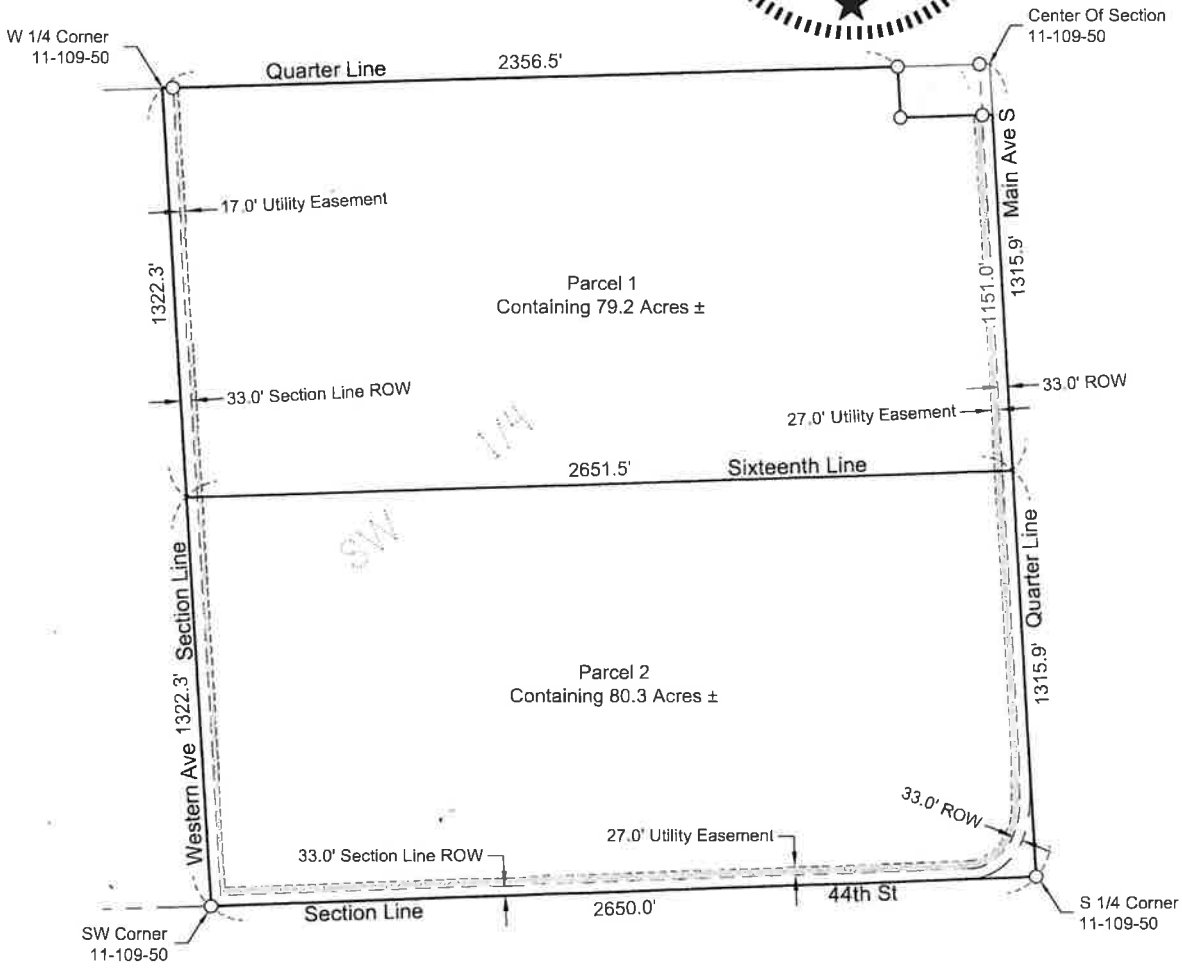
PARCEL 2: THE SOUTH 1/2 OF THE SW 1/4 OF SECTION 11, TOWNSHIP 109 NORTH, RANGE 50 WEST OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA. SUBJECT TO PUBLIC ROAD RIGHT-OF-WAY AND EASEMENTS OF RECORD.

CONTAINING 80.3 ACRES MORE OR LESS OF WHICH 4.2 ACRES MORE OR LESS IS PUBLIC ROAD RIGHT-OF-WAY.

NORTH

February, 2023
Scale: 1" = 500'
○ Monument Recovered
● Monument Set
(⅝" x 18" Capped Rebar RLS 15743)
Bearings are Based on Assumed Datum

REGISTERED LAND SURVEYOR
REG. NO. 15743
PRELIMINARY
SOUTH DAKOTA



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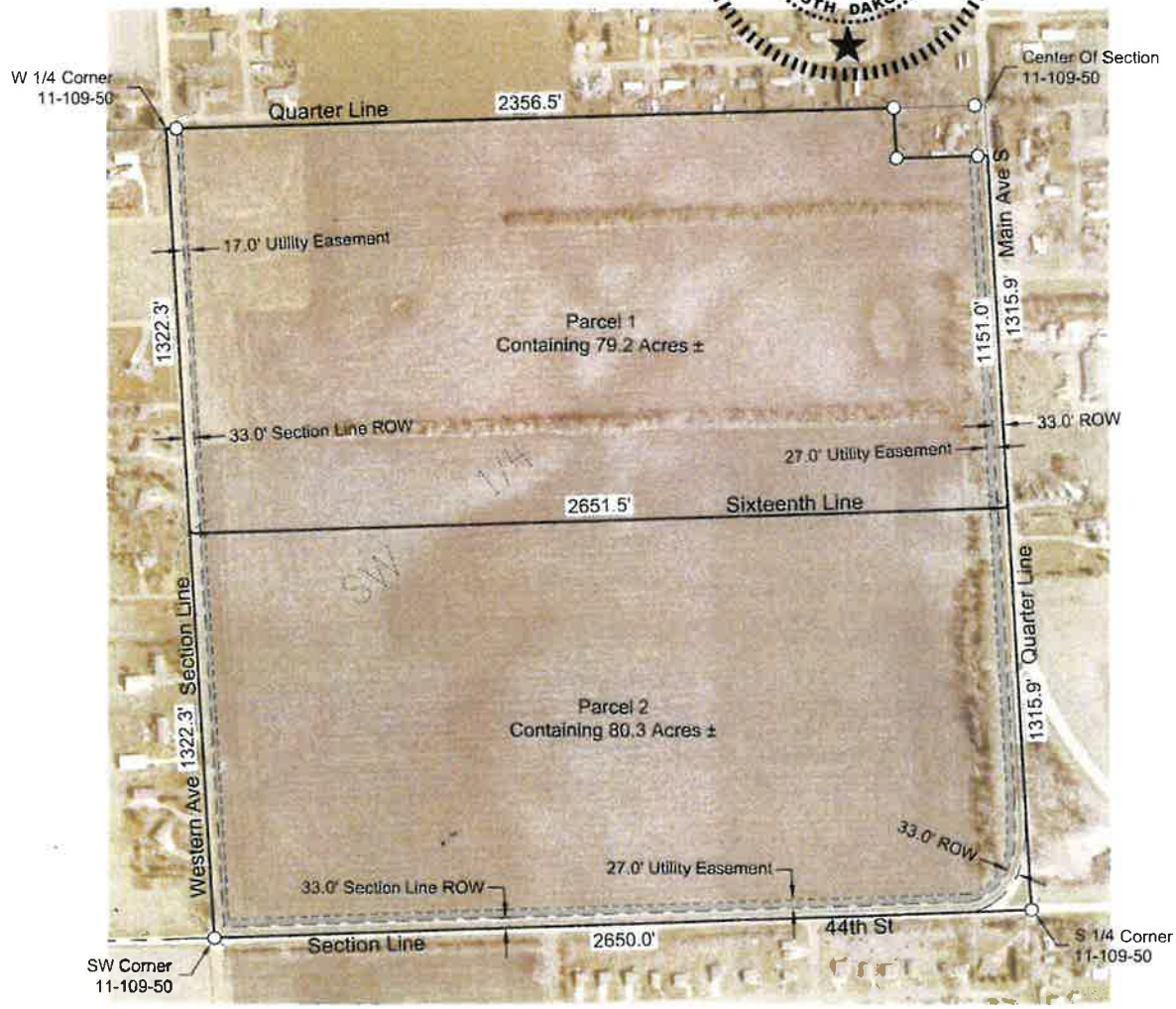
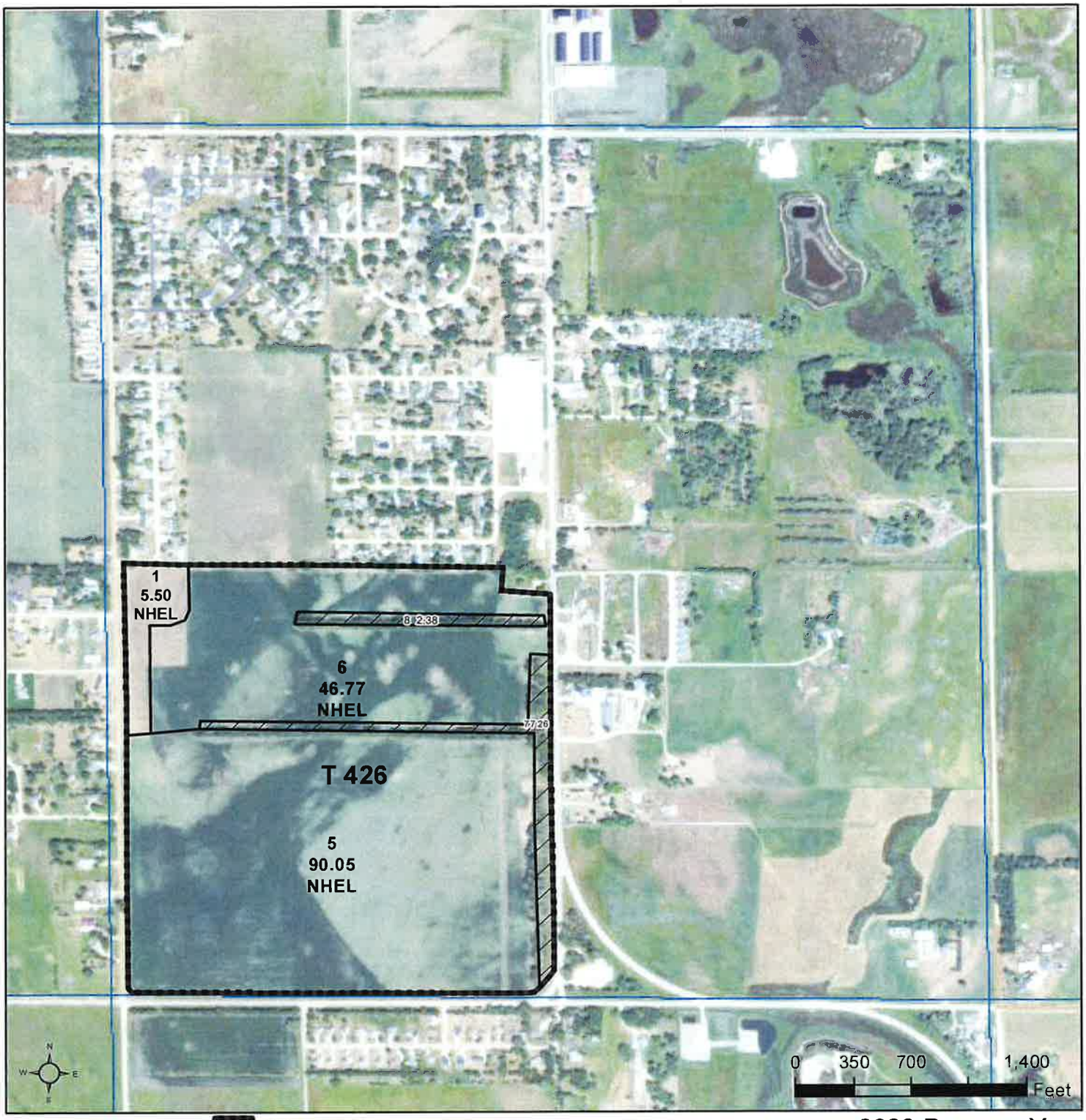


USDA United States Department of Agriculture

Brookings County, South Dakota



Common Land Unit
- Non-Cropland
- Cropland

Tract Boundary
PLSS

Wetland Determination Identifiers
- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

2023 Program Year

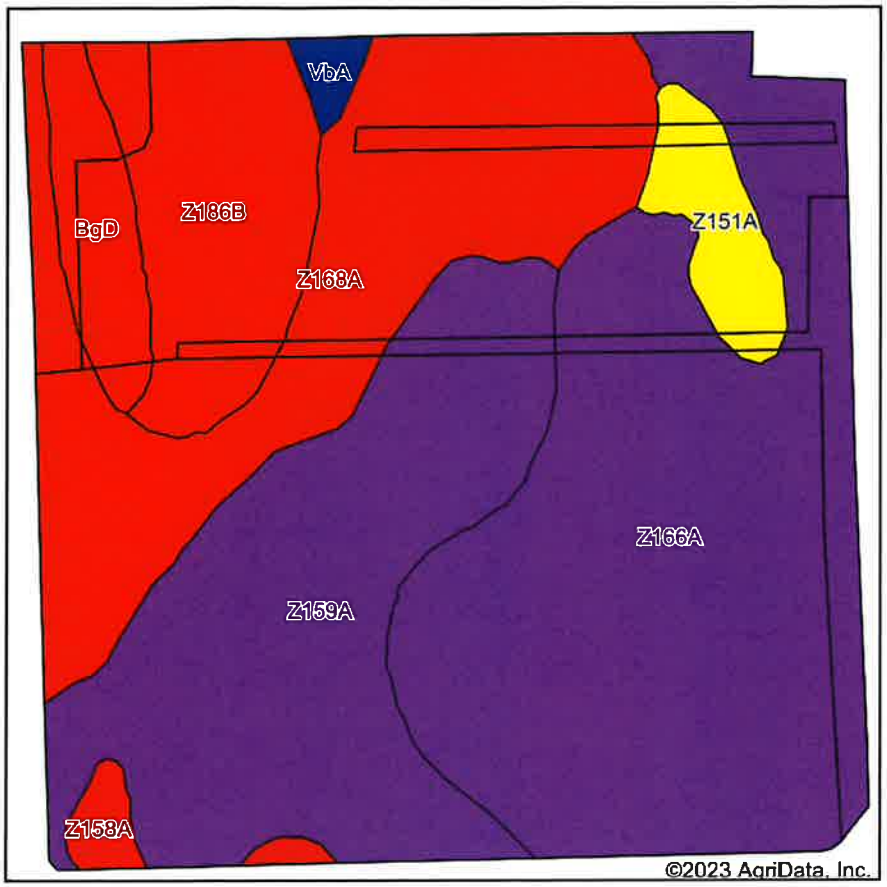
Map Created November 07, 2022

Farm **834**

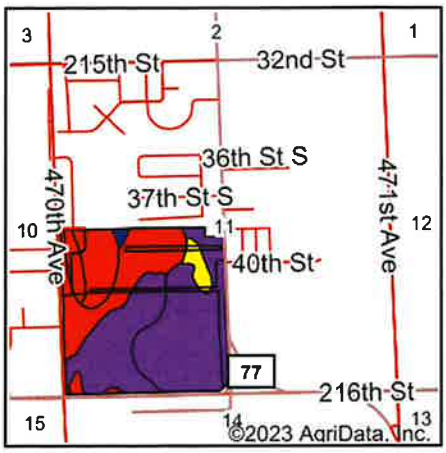
11 -109N -50W

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).

Soils Map



Soils data provided by USDA and NRCS.



State: **South Dakota**
County: **Brookings**
Location: **11-109N-50W**
Township: **Medary**
Acres: **151.96**
Date: **2/27/2023**

CHUCK SUTTON
AUCTIONEER & LAND BROKER LLC

Maps Provided By:
surety
CUSTOMIZED ONLINE MAPPING
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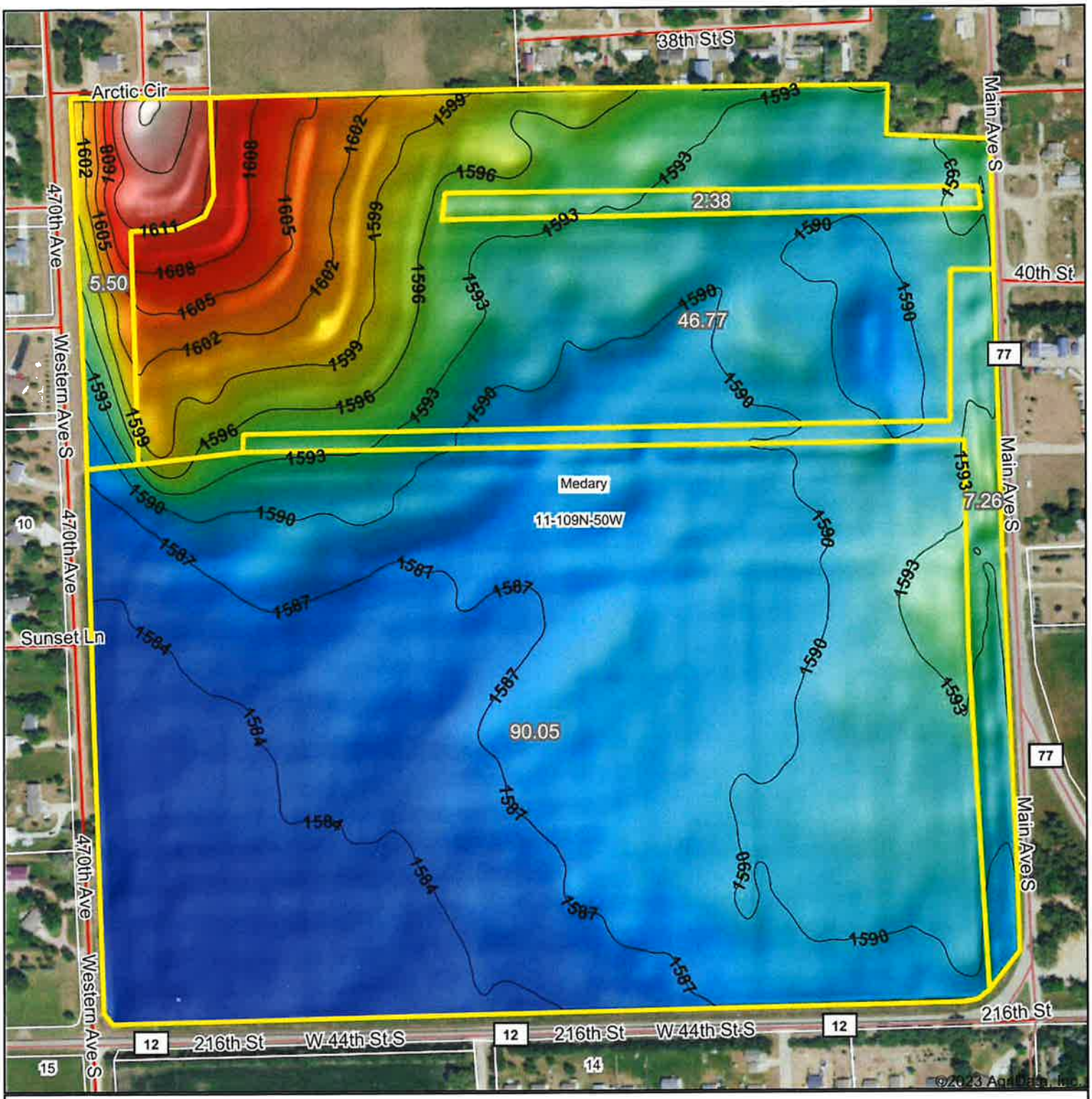
N W E S

Area Symbol: SD011, Soil Area Version: 30						
Code	Soil Description	Acres	Percent of field	PI Legend	Non-Irr Class *c	Productivity Index
Z166A	Fordtown loam, 0 to 2 percent slopes, rarely flooded	56.36	37.1%		IIs	60
Z159A	Divide loam, 0 to 2 percent slopes, occasionally flooded	36.30	23.9%		IIIs	54
Z168A	Allivar sandy loam, 0 to 2 percent slopes, rarely flooded	31.55	20.8%		IIIs	29
Z186B	Maddock-Egeland sandy loams, coteau, 2 to 6 percent slopes	14.77	9.7%		IIIe	42
BgD	Buse-Barnes loams, 9 to 20 percent slopes	5.47	3.6%		VIe	34
Z151A	Castlewood silty clay, 0 to 1 percent slopes, occasionally flooded	4.72	3.1%		IVw	62
Z158A	Marysland loam, 0 to 1 percent slopes, occasionally flooded	1.73	1.1%		IVw	32
VbA	Vienna-Brookings complex, 0 to 2 percent slopes	1.06	0.7%		Is	90
				Weighted Average	**2.77**	**49.4**

*c: Using Capabilities Class Dominant Condition Aggregation Method
Soils data provided by USDA and NRCS.

Topography Hillshade



Low Elevation High

Source:	USGS 3 meter dem
Interval(ft):	3
Min:	1,581.7
Max:	1,617.3
Range:	35.6
Average:	1,590.8
Standard Deviation:	6.27 ft

0ft 435ft 869ft

2/27/2023

11-109N-50W
Brookings County
South Dakota

map center:44° 15' 26.15, -96° 48' 11.22

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Maps Provided By surety CUSTOMIZED ONLINE MAPPING

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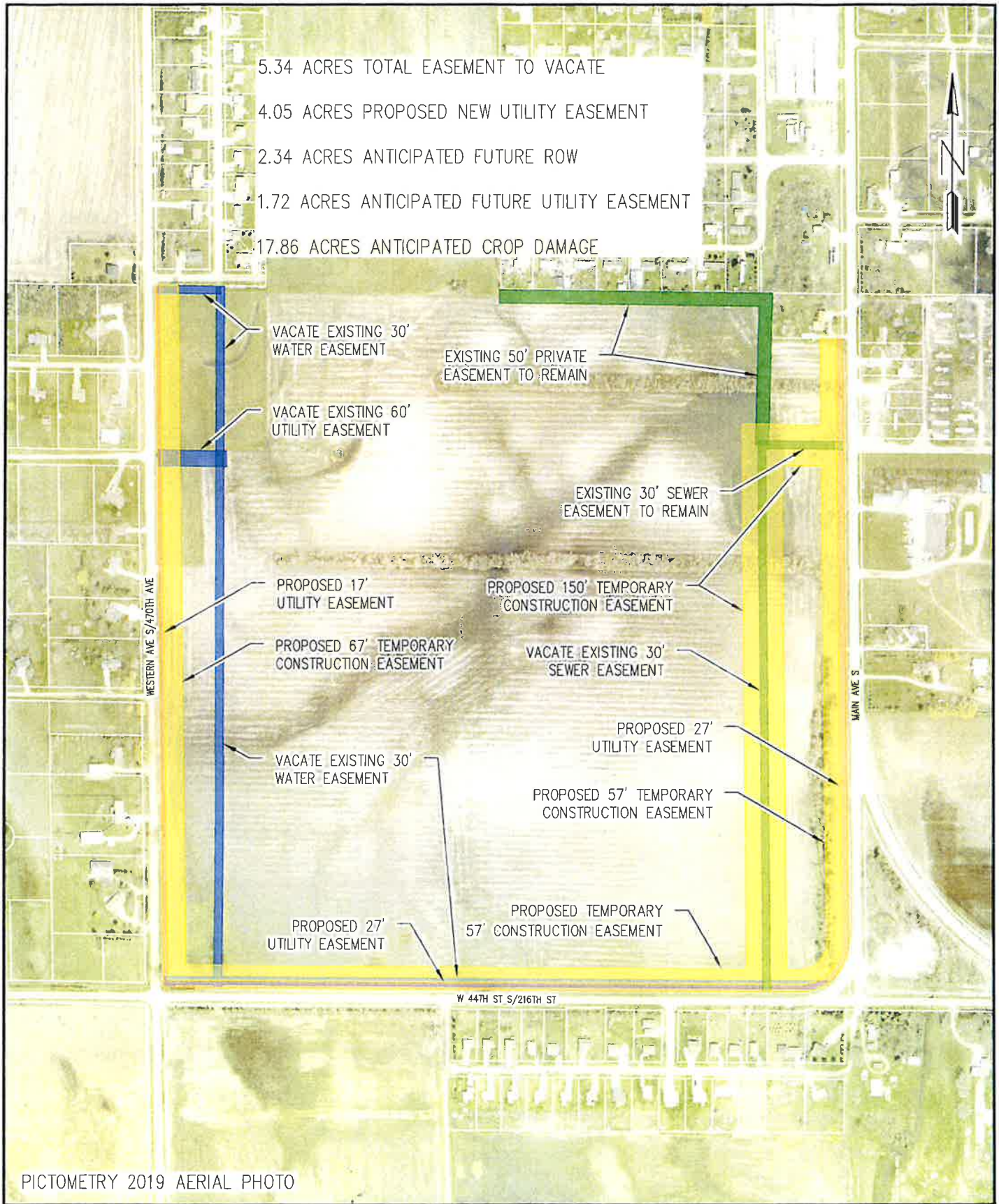
Field borders provided by Farm Service Agency as of 5/21/2008



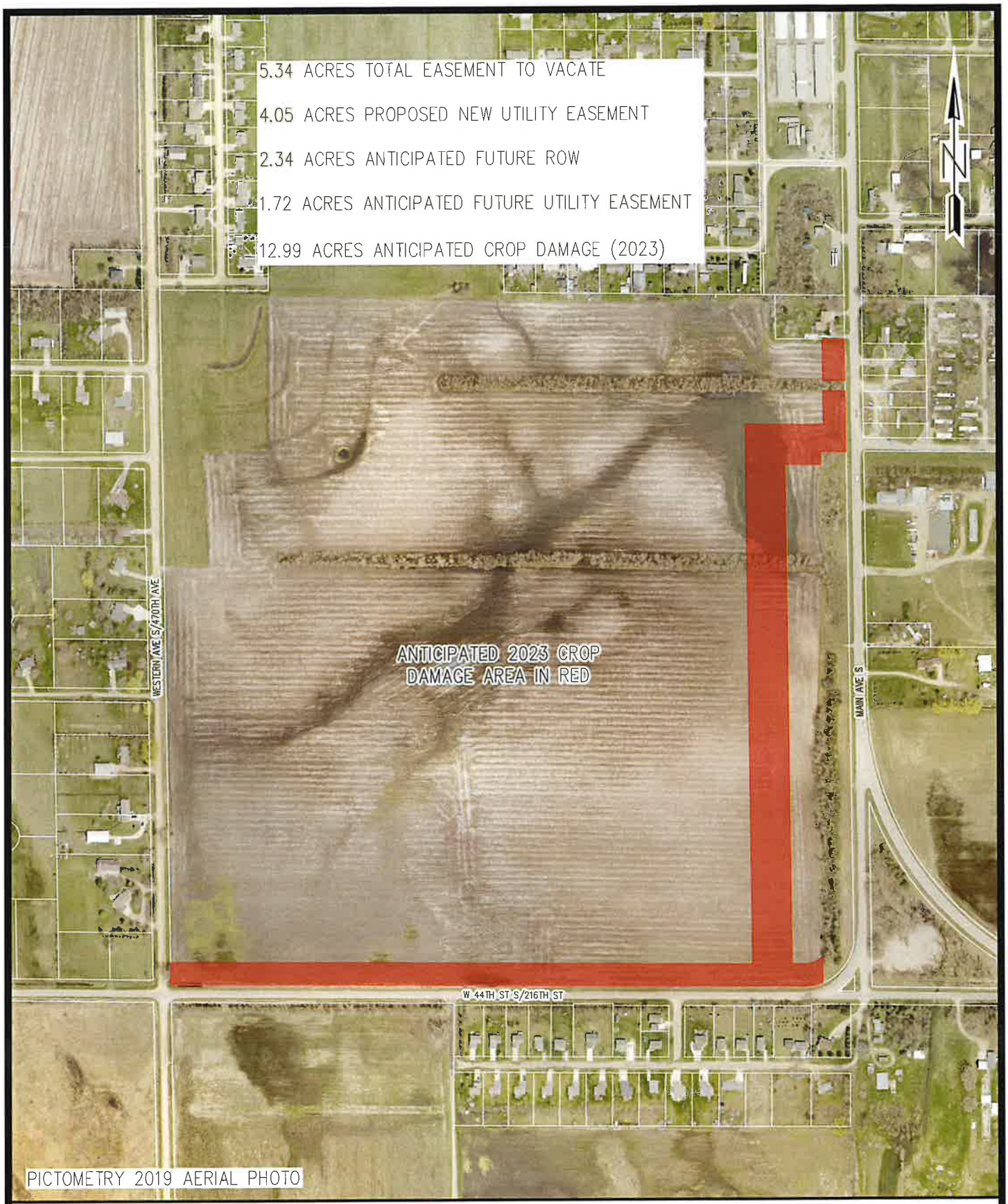
PROPOSED UTILITY EASEMENTS IN SW $\frac{1}{4}$ OF SECTION 11, TOWNSHIP 109 NORTH, RANGE 50 WEST, BROOKINGS, SD

WEST SECTION LINE = 17' UTILITY EASEMENT

SOUTH SECTION LINE = 27' UTILITY EASEMENT

EAST $\frac{1}{4}$ SECTION LINE = 27' UTILITY EASEMENT

OVERLAY VIEW	MAY 21, 2021	WW2201



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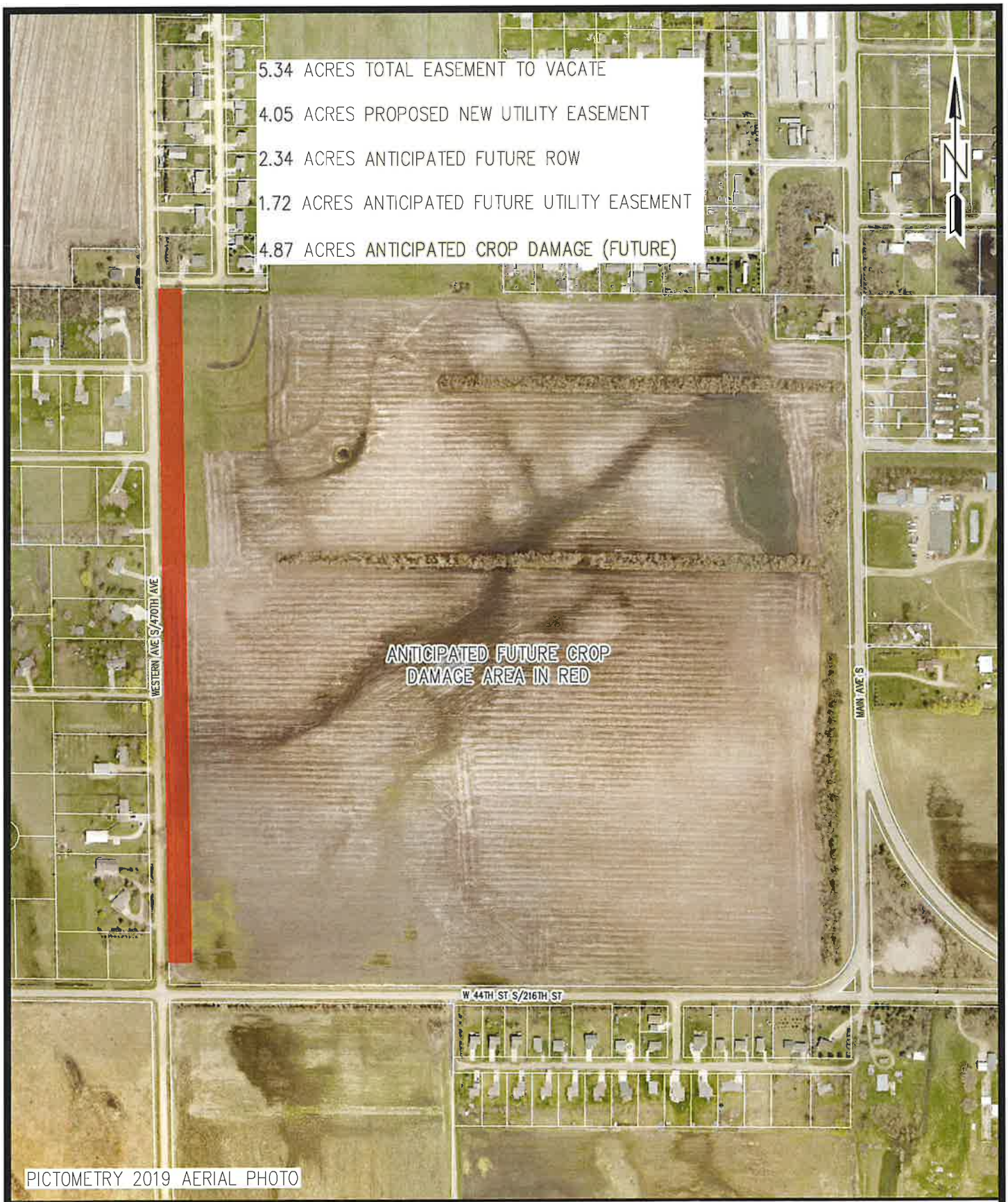
ANTICIPATED CROP DAMAGE	MAY 21, 2021	WW2201



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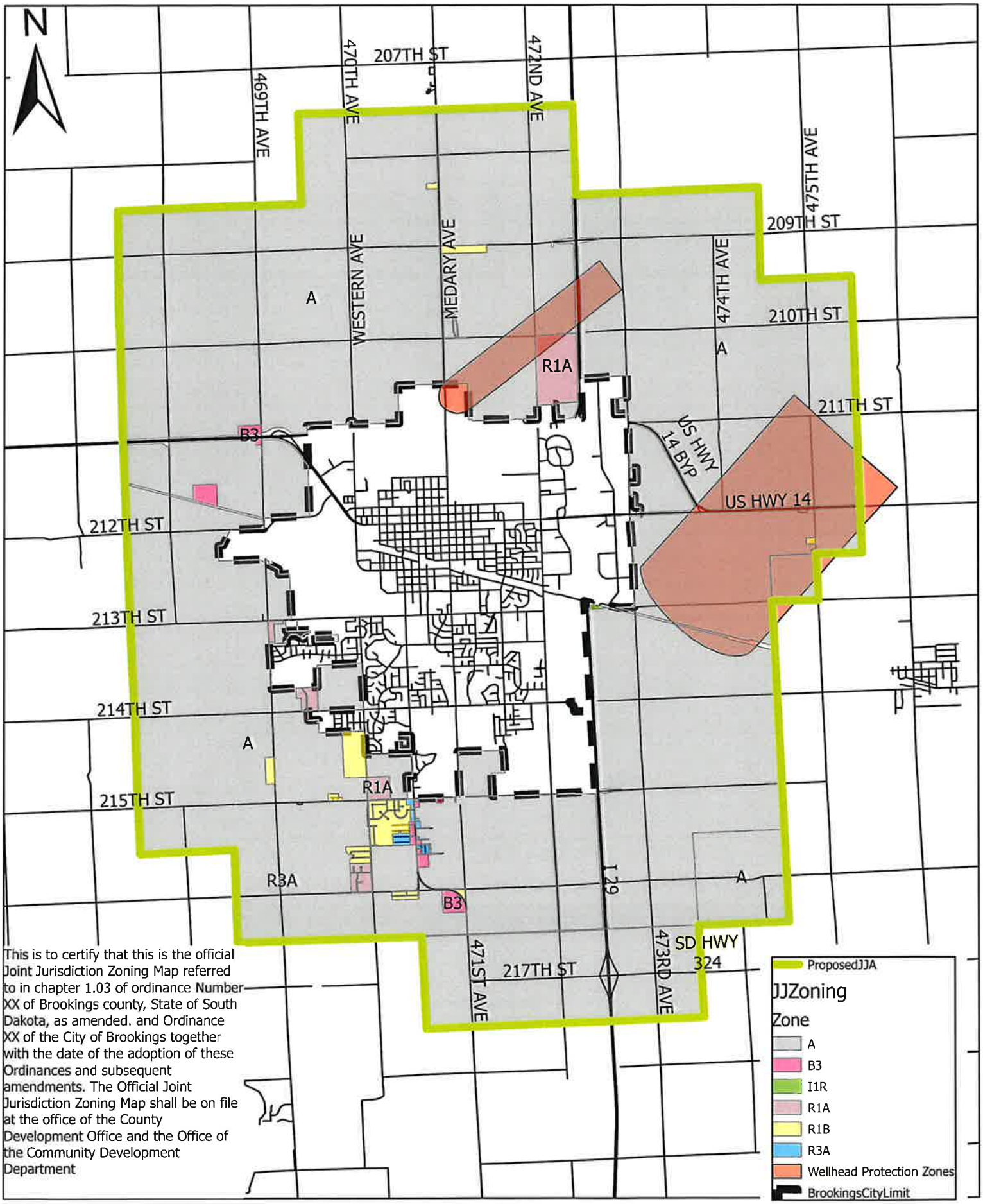
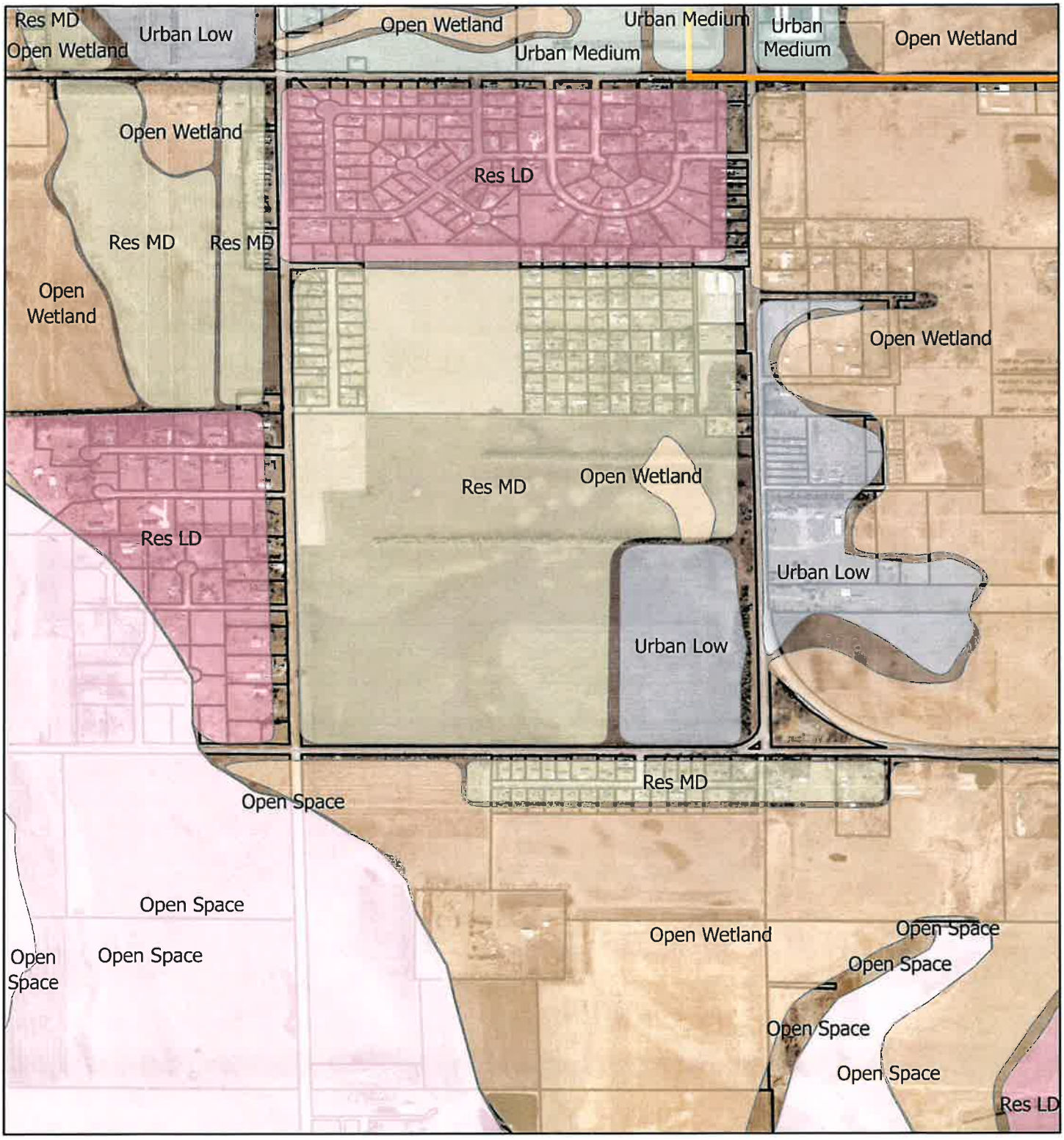
ANTICIPATED CROP DAMAGE	MAY 21, 2021	WW2201

Joint Jurisdiction Zoning



Future Land Use



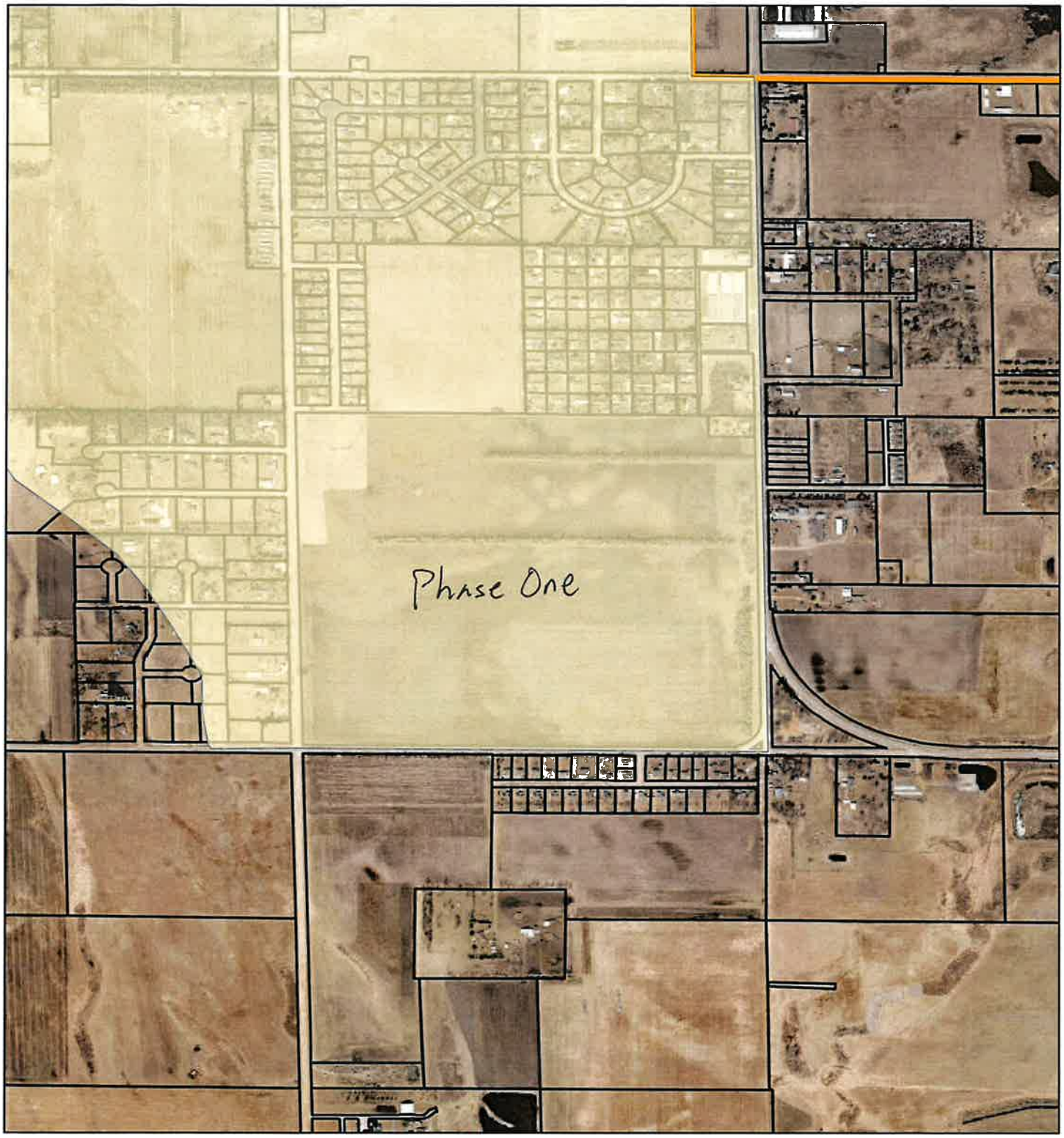
1/24/2023

1:13,279

0 0.08 0.16 0.32 mi

0 0.13 0.26 0.52 km

Annexation Map



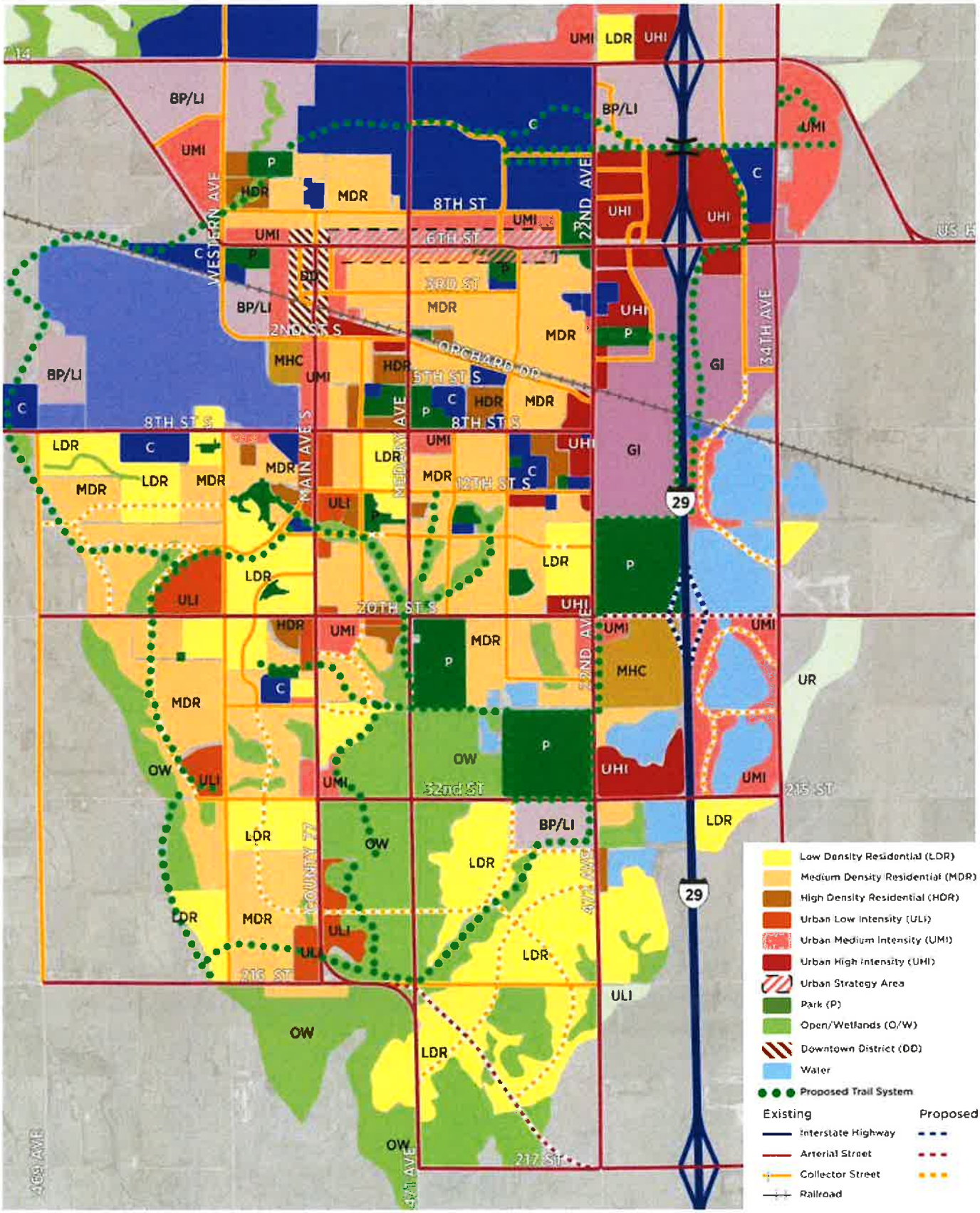
1/24/2023

1:13,279

0 0.08 0.16 0.32 mi

0 0.13 0.26 0.52 km

FIGURE 3.4: Development Concepts Map



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The Sale of your property may be a once in a lifetime event…

Our company has been serving the auction needs of clients since 1932 & presently we are licensed real estate brokers in SD, MN, IA, & NEB. Our firm has grown to be recognized as industry leaders in the Auction Industry.

In the last 10 years our firm has sold over 132,000 acres of Property including Ag Land, Acreages & Development Property. We have also sold numerous Farm Equipment, Construction Equipment & other Personal Property Auctions.

"Successful Auctions Don't Just Happen They're Planned" - The Sale of your property may be a once in a lifetime event, so it is important that you rely on an auctioneer with experience, knowledge, education, marketing & promotional skills, established contacts with numerous qualified prospective buyers and last but not least - a track record of success! Our auction company has been serving the auction needs of clients since 1932 and currently we are licensed RE Brokers in South Dakota, Minnesota, Iowa and Nebraska. Our firm has grown to be recognized as a leader in the auction industry. Furthermore, auctions have become ***the marketing method of choice for farmland***, being the most tried and true method of marketing with a proven record of results surpassing such methods as sealed bids and negotiated sales, ***with auctions providing the "Ultimate Marketplace"*** - ***by maximizing the number of prospective buyers and also allows the seller to set the terms of sale and puts all buyers on an equal playing field, where all parties have a fair and equal opportunity to bid and buy.***

If you are considering the sale of your land, contact, Chuck Sutton or Jared Sutton at Chuck Sutton Auctioneer & Land Broker, LLC or any of our other affiliated offices, and let them and their professional associates put their years of experience to work for You!!

"Remember, Successful Auctions Don't Just Happen, They're Planned!!"
www.suttonauction.com

Chuck Sutton Auctioneer & Land Broker, LLC 1116 N. West Ave Sioux Falls, SD ph. 605-336-6315	**Kuhle-Sutton Agency, LLC** 127 2nd Ave. W Flandreau, SD ph. 605-997-3777 www.kuhlesutton.com	**Pipestone Realty, LLC** 120 N. Hiawatha Ave. Pipestone, MN ph. 507-825-3389 www.pipestonerealty.com