

SEALED BID LAND AUCTION

475.68 +/- Acres of Sully County Farmland

TRACT 1: SE 1/4 2-114-76 157.39 Acres

TRACT 2: SW 1/4 1-114-76 158.84 Acres

TRACT 3: SE 1/4 1-114-76 159.45 Acres

Seller: Sack Family



All offers must be made on forms/bid sheet obtained from Action Buyers Resource, LLC. Offers made must be received by Friday, March 22, 2024. Offers can be mailed to Action Buyers Resource, PO Box 505, Onida, SD 57564 with "Sealed Bid" clearly identified on the mailing envelope, or personally delivered to the office at 110 S. Main, Onida, no later than 12:00 pm March 22, 2024. Owners reserve the right to reject any and all bids. Buyer's premium applies. The top bidders may, at the discretion of the Seller, be invited to a private auction to increase offers made. For complete details, contact Action Buyers Resource, LLC, Emily Sovell Responsible Broker: 605-258-2828, Onida, SD or Joe Sovell, Broker Associate 605-280-7656



Action Buyers Resource

www.actionbuyersresource.com

PO Box 505 Onida SD 57564

1-605-258-2828 Toll Free: 1-866-867-7253

Announcement / Instructions –Sealed BID

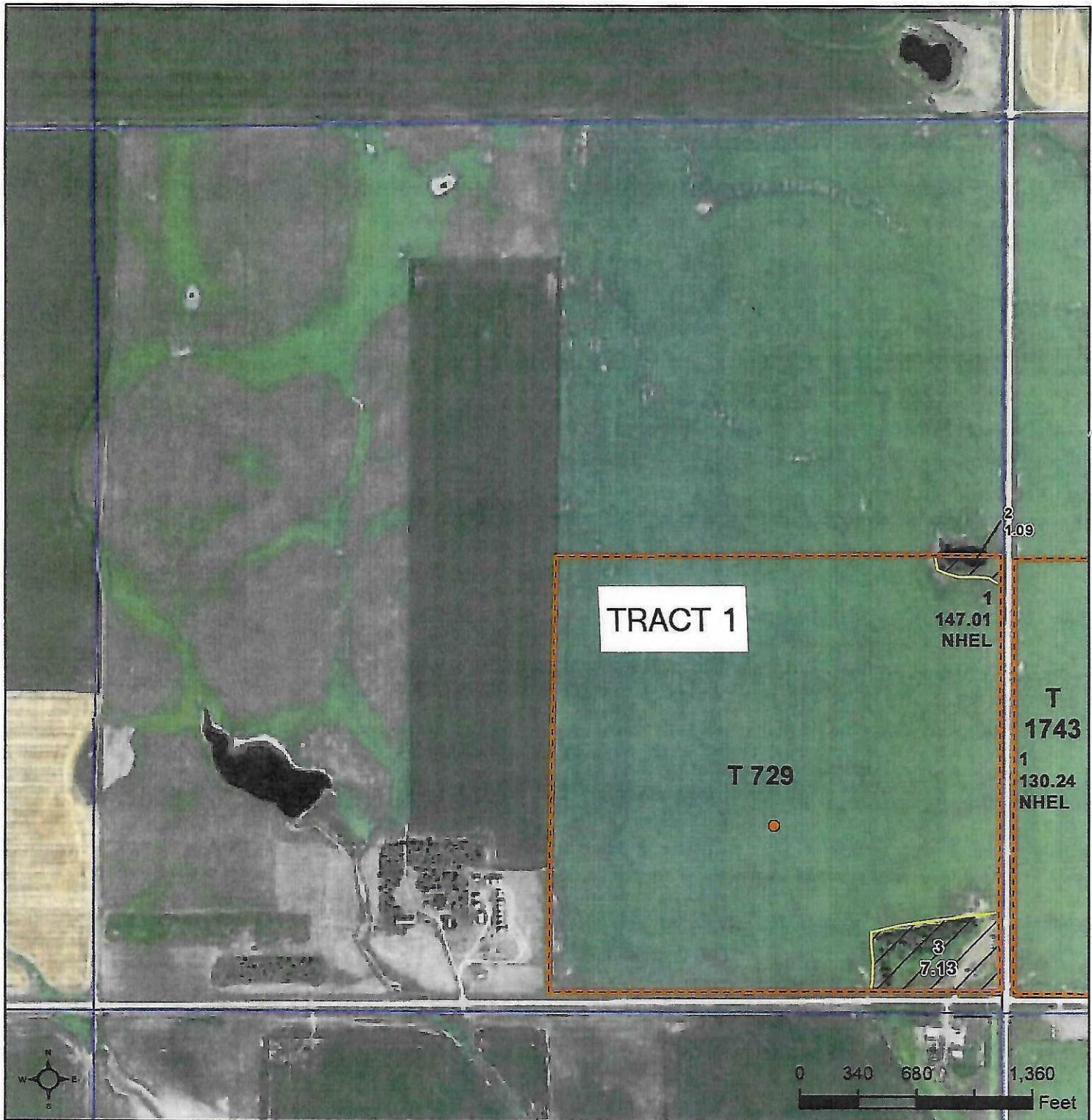
1. TERMS: This will be a cash sale, and 10% of the offered price must be submitted with your bid. If your offer is rejected, the 10% will be voided and returned. If your offer is accepted, the 10% will be deposited in ABR Trust Account as non-refundable earnest money, and bidder will be required to complete and sign a purchase agreement reflecting the terms of the sale as set forth herein, or otherwise announced. Seller reserves the right to reject any and all bids. The top bidders may be invited to increase their bid through private auction sale or personal contact at Seller's discretion.
2. A Buyer's Premium of 2% of the successful bid will be used to establish the final purchase price. The premium will be added to the successful bid amount, along with applicable state sales tax.
3. Possession will occur at closing subject to the existing lease. Closing to occur within 45 days of the conclusion of the sealed bid auction. The Buyer(s) will receive a credit on their closing statement for the 1st half of the 2024 rent in the following amounts: Tract 1: \$7,280.67 Tract 2: \$7,356.94 Tract 3: \$7,362.39. The Buyer(s) will receive from the current tenants the second half of the 2024 rent on or before October 1, 2024. The current farm lease expires in 2024.
4. Marketable Title will be conveyed and an Owners Title Insurance Policy will be provided with the cost of the owner's policy and a title company closing fee, if any, to be divided 50-50 between Buyer(s) and Seller. Seller to pay transfer fees and Buyer(s) to pay recording fees.
5. This property is being sold based on the tax acres assessed by the Sully County Director of Equalization; this property is sold by legal description, subject to easements and restriction of record.
6. All of the 2023 real estate taxes payable in 2024 will be paid by the Seller at closing based upon the most current information available from the Sully County Director of Equalization at the time of the closing. Buyer(s) shall pay the 2024 real estate taxes due in 2025 and future real estate taxes.

7. The Seller does not provide warranty or guarantee that existing fences are located on the correct boundary. Location of field boundaries is the responsibility of the Buyer(s).
8. County data, Farm Service Agency reports, mapping, yields, bases, payments or data obtained for distribution is not guaranteed by Seller or Seller's agents. Information contained herein is deemed to be correct but is not guaranteed. The Sully County FSA will make final determination of all farm program crop bases and yields transferred to the Buyer(s).
9. Action Buyers Resource LLC acts as agents for the Seller, and property sales are subject to confirmation of the owner.
10. The Sealed Bid Form enclosed herewith must have all yellow, highlighted blanks completed by Bidder.
11. Please remove and return the sealed bid form only to: Action Buyer's Resource, LLC in order to submit your bid. "Sealed Bid" shall be clearly marked on the exterior of the envelope. Personal delivery can be made to the office at 110 S. Main, Onida, SD or mailed bids can be sent to Action Buyer's Resource LLC, PO Box 505 Onida, SD 57564. No submissions will be accepted after **March 22, 2024 at 12pm central time.**



United States
Department of
Agriculture

Sully County, South Dakota



Common Land Unit

Tract Boundary
 Non-Cropland
 Cropland

PLSS

Wetland Determination Identifiers

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

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

2024 Program Year

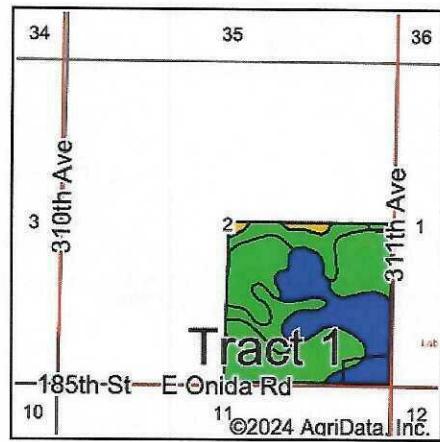
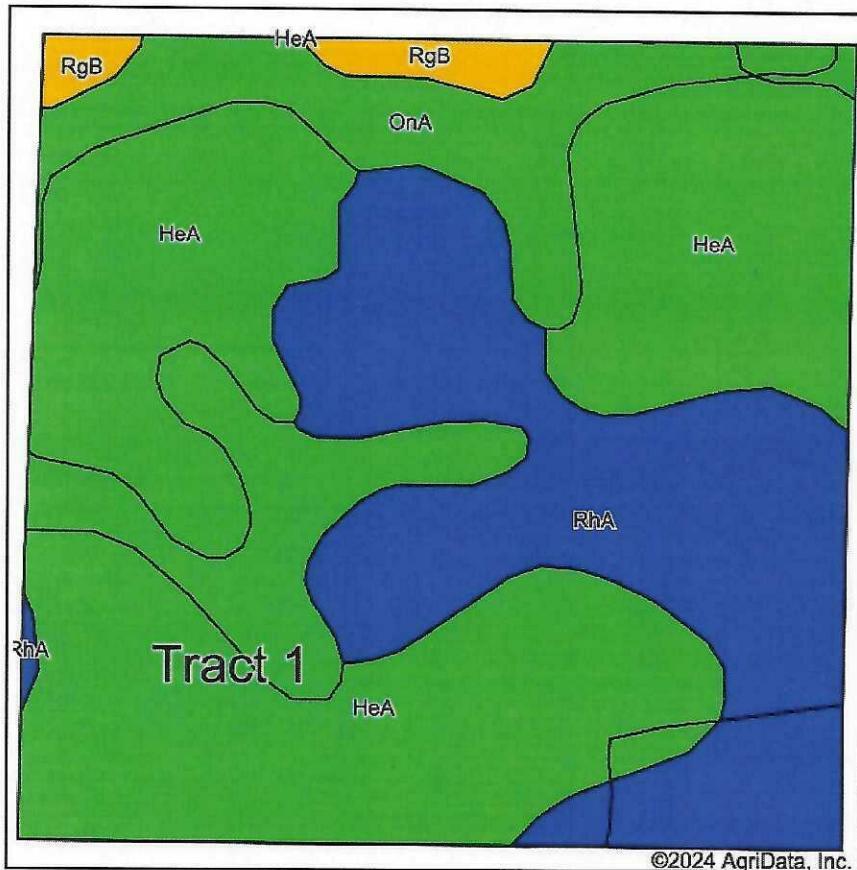
Map Created September 18, 2023

Farm 4697

2-114N-76W-Sully

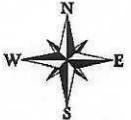
United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program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

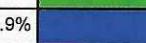
Soils Map



State: South Dakota
County: Sully
Location: 2-114N-76W
Township: East Sully
Acres: 155.23
Date: 2/14/2024

Maps Provided By:
 **surety**[®]
 CUSTOMIZED ONLINE MAPPING
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Area Symbol: SD119, Soil Area Version: 26						
Code	Soil Description	Acres	Percent of field	PI Legend	Non-Irr Class *c	Productivity Index
HeA	Highmore silt loam, 0 to 2 percent slopes	78.63	50.7%		IIc	92
RhA	Eakin-Raber complex, 0 to 2 percent slopes	44.81	28.9%		IIc	83
OnA	Mobridge silt loam, 0 to 2 percent slopes	28.25	18.2%		IIc	94
RgB	Eakin-Raber complex, 2 to 6 percent slopes	3.54	2.3%		IIe	76
Weighted Average					2.00	89.4

*c: Using Capabilities Class Dominant Condition Aggregation Method

SULLY COUNTY TREASURER
 PO BOX 265
 ONIDA, SD 57564
 (605) 258-2444

02/12/2024

Parcel Information for Bill #: 2024- 1 - 4403

Record #: 1310

TAXPAYER: **SYLVIA B SACK**
115 E DAKOTA
SPEARFISH SD 57783-2738

Prop Addr: STR 2-114-76

Title:

Legal: BLAINE TOWNSHIP
 SE 2 114 76

2 - 114 - 76 4 - 0

School: 58-3

Acres / Lots: 157.39

	Tax Amt.	Int Due	Adv/Cert	TOTAL DUE	Date Pd	Treas#
1st Half:	699.21	.00	.00	699.21		0
2nd Half:	699.21	.00		699.21		0
Totals:	1,398.42			1,398.42		
***** Interest ***** Thru: 02/12/2024						

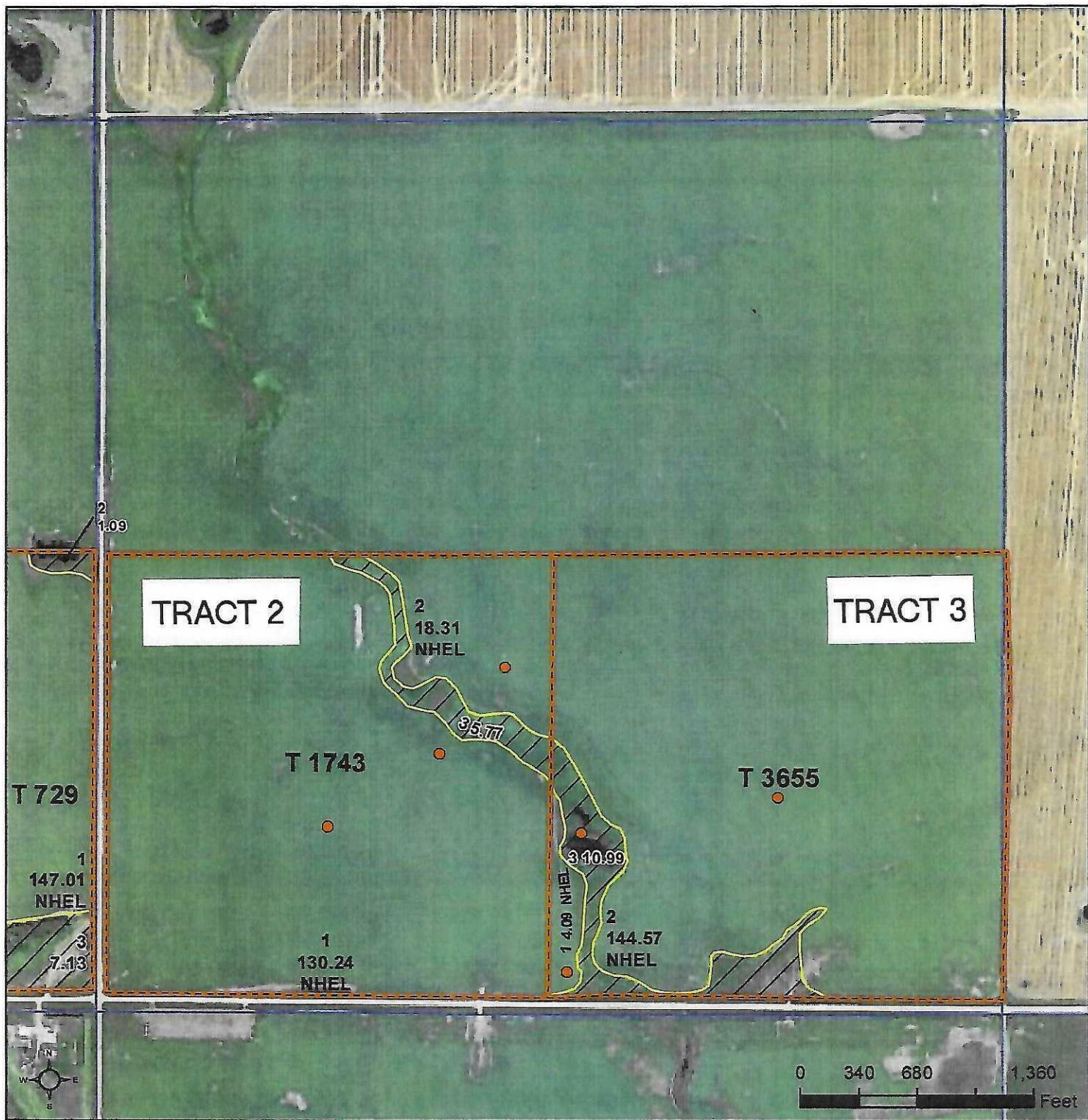
Total Valuation:	AG 237665	NA-Z 0	OO 0	M-OO 0	NA 0	M 0
Total Tax:	1398.42	.00	.00	.00	.00	.00

1st half paid by:
 2nd half paid by:



United States
Department of
Agriculture

Sully County, South Dakota



Common Land Unit

Tract Boundary
Non-Cropland
Cropland

PLSS

Wetland Determination Identifiers

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

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

2024 Program Year

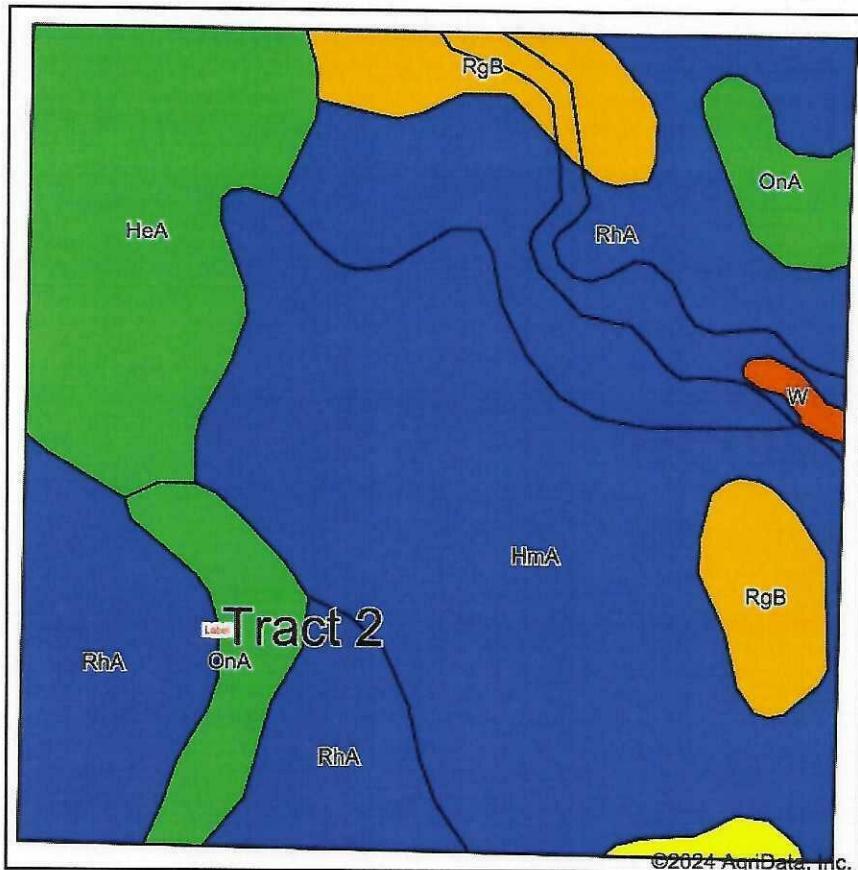
Map Created September 18, 2023

Farm 4697

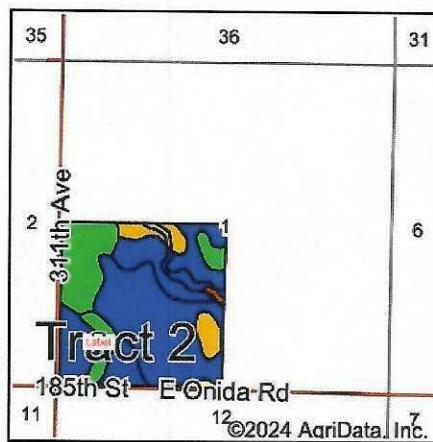
1-114N-76W-Sully

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: **Sully**

Location: **1-114N-76W**

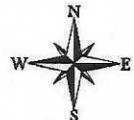
Township: **East Sully**

Acres: **154.32**

Date: **2/14/2024**

Maps Provided By:

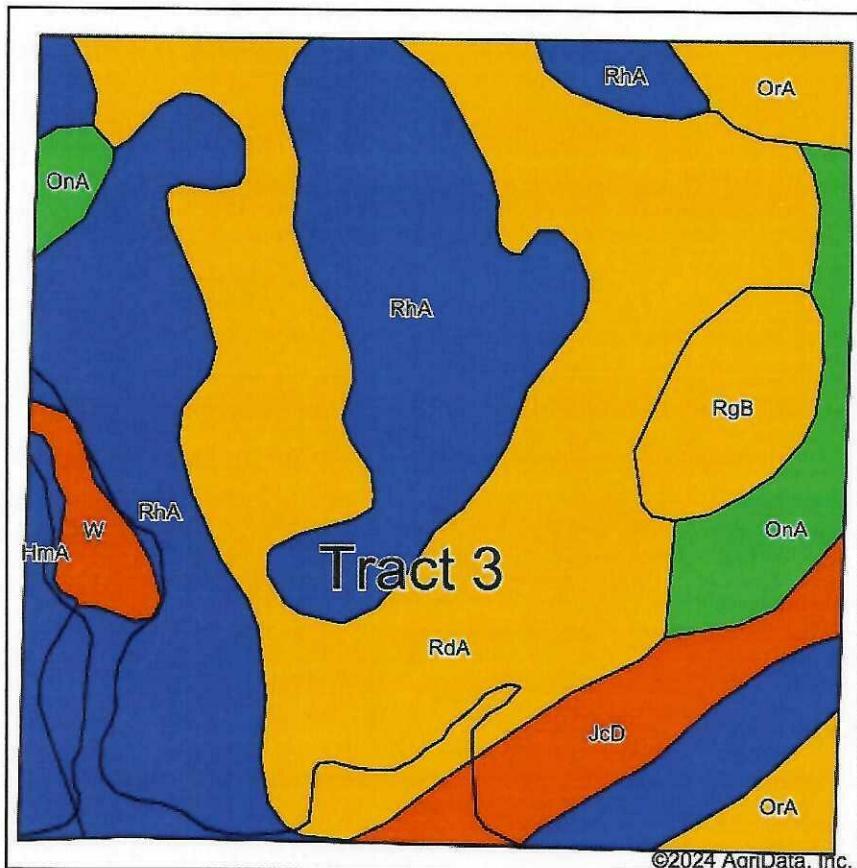
surety
CUSTOMIZED ONLINE MAPPING
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Area Symbol: SD119, Soil Area Version: 26						
Code	Soil Description	Acres	Percent of field	PI Legend	Non-Irr Class *c	Productivity Index
HmA	Highmore-Walke silt loams, 0 to 2 percent slopes	55.69	36.1%		IIc	85
RhA	Eakin-Raber complex, 0 to 2 percent slopes	50.36	32.6%		IIc	83
HeA	Highmore silt loam, 0 to 2 percent slopes	23.09	15.0%		IIc	92
RgB	Eakin-Raber complex, 2 to 6 percent slopes	12.30	8.0%		IIe	76
OnA	Mobridge silt loam, 0 to 2 percent slopes	10.86	7.0%		IIc	94
RpB	Raber-Peno loams, 2 to 6 percent slopes	1.19	0.8%		IIe	65
W	Water	0.83	0.5%		VIII	0
Weighted Average					2.03	84.7

*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils Map

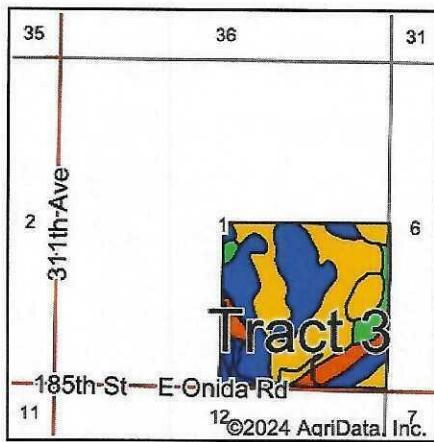


Soils data provided by USDA and NRCS.

Area Symbol: SD119, Soil Area Version: 26

Code	Soil Description	Acres	Percent of field	PI Legend	Non-Irr Class *c	Productivity Index
RdA	Raber-Demky loams, 0 to 2 percent slopes	60.53	37.9%		IIc	75
RhA	Eakin-Raber complex, 0 to 2 percent slopes	59.60	37.3%		IIc	83
JcD	Java-Betts stony complex, 3 to 12 percent slopes	9.80	6.1%		VIIIs	24
OnA	Mobridge silt loam, 0 to 2 percent slopes	9.22	5.8%		IIc	94
RgB	Eakin-Raber complex, 2 to 6 percent slopes	7.37	4.6%		IIe	76
OrA	Onita-DeGrey silt loams, 0 to 2 percent slopes	6.56	4.1%		IIc	76
HmA	Highmore-Walke silt loams, 0 to 2 percent slopes	3.44	2.2%		IIc	85
W	Water	3.13	2.0%		VIII	0
Weighted Average					2.42	74.8

*c: Using Capabilities Class Dominant Condition Aggregation Method



State: **South Dakota**

County: **Sully**

Location: **1-114N-76W**

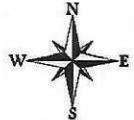
Township: **East Sully**

Acres: **159.65**

Date: **2/14/2024**

Maps Provided By:

surety®
CUSTOMIZED ONLINE MAPPING
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SULLY COUNTY TREASURER
PO BOX 265
ONIDA, SD 57564
(605) 258-2444

02/12/2024

Parcel Information for Bill #: 2024— 1 — 4401

Record #: 1305

TAXPAYER: SYLVIA B SACK
115 E DAKOTA
SPEARFISH SD 57783-2738

Prop Addr: STR 1-114-76

Title:

Legal: BLAINE TOWNSHIP
SW 1 114 76

1 — 114 — 76 3 — 0

School: 58-3

Acres / Lots: 158.84

	Tax Amt.	Int Due	Adv/Cert	TOTAL DUE	Date Pd	Treas#
1st Half:	657.01	.00	.00	657.01		0
2nd Half:	657.01	.00		657.01		0
Totals:	1,314.02			1,314.02		
***** Interest ***** Thru: 02/12/2024						

Total Valuation:	AG 223322	NA-Z 0	OO 0	M-OO 0	NA 0	M 0
Total Tax:	1314.02	.00	.00	.00	.00	.00

1st half paid by:
2nd half paid by:

SULLY COUNTY TREASURER
 PO BOX 265
 ONIDA, SD 57564
 (605) 258-2444

02/12/2024

Parcel Information for Bill #: 2024— 1 —4402

Record #: 1306

TAXPAYER: **SYLVIA B SACK**
 115 E DAKOTA
 SPEARFISH SD 57783-2738

Prop Addr: STR 1-114-76

Title:

Legal: BLAINE TOWNSHIP
 SE 1 114 76

1 — 114 — 76 4 — 0

School: 58-3

Acres / Lots: 159.45

	Tax Amt.	Int Due	Adv/Cert	TOTAL DUE	Date Pd	Treas#
1st Half:	600.88	.00	.00	600.88		0
2nd Half:	600.88	.00		600.88		0
Totals:	1,201.76			1,201.76		
***** Interest ***** Thru: 02/12/2024						

Total Valuation:	AG 204241	NA-Z 0	OO 0	M-OO 0	NA 0	M 0
Total Tax:	1201.76	.00	.00	.00	.00	.00

1st half paid by:
2nd half paid by:

SOUTH DAKOTA
SULLY
Form: FSA-156EZ



United States Department of Agriculture
Farm Service Agency

Abbreviated 156 Farm Record

FARM : 4697
Prepared : 2/20/24 2:16 PM CST
Crop Year : 2024

Tract Number : 729
Description : SE-2-114-76
FSA Physical Location : SOUTH DAKOTA/SULLY
ANSI Physical Location : SOUTH DAKOTA/SULLY
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 : SYLVIA B SACK
Other Producers : None
Recon ID : None

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	EWP	WRP	GRP	Sugarcane
155.23	147.01	147.01	0.00	0.00	0.00	0.00	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	CRP	MPL	DCP Ag. Rel Activity	SOD
0.00	0.00	147.01	0.00	0.00	0.00	0.00	0.00

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield
Wheat	45.30	0.00	60
Corn	22.65	0.00	104

SOUTH DAKOTA

SULLY

Form: FSA-156EZ

United States Department of Agriculture
Farm Service Agency

Abbreviated 156 Farm Record

FARM : 4697

Prepared : 2/20/24 2:16 PM CST

Crop Year : 2024

Tract 729 Continued ...

Sunflowers	22.65	0.00	2247
TOTAL	90.60	0.00	

NOTES

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Tract Number : 1743

Description : SW-1-114-76

FSA Physical Location : SOUTH DAKOTA/SULLY

ANSI Physical Location : SOUTH DAKOTA/SULLY

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 : SYLVIA B SACK

Other Producers : None

Recon ID : None

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	EWP	WRP	GRP	Sugarcane
154.32	148.55	148.55	0.00	0.00	0.00	0.00	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	CRP	MPL	DCP Ag. Rel Activity	SOD
0.00	0.00	148.55	0.00	0.00	0.00	0.00	0.00

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield
Wheat	45.82	0.00	60
Corn	22.91	0.00	104
Sunflowers	22.91	0.00	2247
TOTAL	91.64	0.00	

NOTES

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SOUTH DAKOTA
SULLY
Form: FSA-156EZ



United States Department of Agriculture
Farm Service Agency

Abbreviated 156 Farm Record

FARM : 4697

Prepared : 2/20/24 2:16 PM CST

Crop Year : 2024

Tract Number : 3655
Description : SE-1-114-76
FSA Physical Location : SOUTH DAKOTA/SULLY
ANSI Physical Location : SOUTH DAKOTA/SULLY
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 : SYLVIA B SACK
Other Producers : None
Recon ID : None

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	EWP	WRP	GRP	Sugarcane
159.65	148.66	148.66	0.00	0.00	0.00	0.00	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	CRP	MPL	DCP Ag. Rel Activity	SOD
0.00	0.00	148.66	0.00	0.00	0.00	0.00	0.00

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield
Wheat	45.82	0.00	60
Com	22.91	0.00	104

SOUTH DAKOTA

SULLY

Form: FSA-156EZ

United States Department of Agriculture
Farm Service Agency

Abbreviated 156 Farm Record

FARM : 4697

Prepared : 2/20/24 2:16 PM CST

Crop Year : 2024

Tract 3655 Continued ...

Sunflowers	22.91	0.00	2247
TOTAL	91.64	0.00	

NOTES

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) 877-8339. 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.ascr.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.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

SEALED BID FORM

(FILL IN ALL HIGHLIGHTED INFORMATION)

Bidder's Contact Information:

Name: _____

Address: _____

Phone: _____

I, _____ (Bidder), hereby make the following offer:

TRACT 1: The SE ¼ of 2-114-76 in Sully County, South Dakota; (157.39 Acres)

Offer on Tract 1: Price per Acre: \$ _____ X 157.39 acre= \$ _____ **total bid**

TRACT 2: The SW ¼ of 1-114-76 in Sully County, South Dakota; (158.84 Acres)

Offer on Tract 2: Price per Acre: \$ _____ X 158.84 acres = \$ _____ **total bid**

TRACT 3: The SE ¼ of 1-114-76 in Sully County, South Dakota; (159.45 Acres)

Offer on Tract 3: Price per Acre: \$ _____ X 159.45 acres = \$ _____ **total bid**

Per the terms of this agreement a 2% buyer's premium plus sales tax will be added to the total bid.

I, the above-stated bidder, make the foregoing offer. By making said offer, bidder agrees to accept the terms and conditions set forth in the Announcements and correspondence from ACTION BUYERS RESOURCE, LLC.

Date: _____

Bidder's Signature

(RETURN SEALED BID FORM WITH APPLICABLE EARNEST MONEY)