Auction Terms and Conditions

Sealed Bid Real Estate Auction

ANNOUNCEMENTS AND STATEMENTS MADE BY HAYDEN OUTDOORS AT AND/OR DURING THE AUCTION WILL TAKE PRECEDENCE OVER ANY PREVIOUSLY PRINTED MATERIAL OR OTHER ORAL STATEMENTS.

PROSPECTIVE BUYERS ARE ADVISED TO CONSULT WITH AN ATTORNEY OF THEIR CHOICE, WITH RESPECT TO THE PURCHASE OF ANY REAL PROPERTY INCLUDING, BUT NOT LIMITED TO, SEEKING LEGAL ADVICE FROM THEIR OWN ATTORNEY REGARDING DISCLOSURES AND DISCLAIMERS SET FORTH BELOW.

AUCTION DATE & TIME: Sealed Bids Due December 1, 2026 3pm (CST)

AUCTION LOCATION: Bids Delivered by priority mail to Hayden Outdoors Real Estate 31095 185th Street, Onida, SD 57764 **Or** email signed forms to Jeff@HaydenOutdoors.com or Justin.Derga@HaydenOutdoors.com

AUCTION FORMAT: This auction is a Sealed Bid Auction with a deadline of 3pm (CST) December 1, 2026, will be offered for sale to the highest bidder(s), and will be sold at Seller Confirmation Auction, “As-Is”, with no contingencies. Our goal is to realize the highest return to the seller and to satisfy all interested parties by allowing bidders, who are interested, to have the same opportunity.

AUCTION PROCEDURES: Conduct of the auction and increments of bidding are at the direction and discretion of Hayden Outdoors. Announcements made by Hayden Outdoors representatives, or auctioneer, supersede all previously printed material. In the event of a dispute between bidders, the Auctioneer shall make the final decision to accept the final bid, to re-offer, and resell the property, or to remove the property from the auction. If any disputes should arise following the auction, the Auctioneer’s records shall be conclusive. Property(ies) are sold AS IS, WHERE IS, with NO Contingencies allowed.

AUCTION REGISTRATION: All bidding is open to the public and the property is offered for sale to qualified purchasers without regard to sex, race, color, religion, national origin, or handicap.

CONDITIONS OF THE SALE: Sealed bids will be received at the offices of Hayden Outdoors Real Estate 31095 185th Street, Onida, SD 57764 **Or** email signed forms to Jeff@HaydenOutdoors.com or justin.Derga@HaydenOutdoors.com until 3:00 PM (CST) December 1st, 2026, at which time the bids will be privately opened. Bids to be submitted per acre on each tract. Top Bidders may be invited to appear for a private auction to be held at 3:00 PM on December 2nd, 2026 at the Phoenix Center, 110 S Main St, Onida, SD. Seller(s) will have the option to accept the high sealed bid or continue with an auction on December 2nd, 2026. All conditions will be subject to all seller confirmation.

REQUIREMENTS OF THE HIGH BIDDER(S): Immediately following the conclusion of the auction, the highest bidder(s) shall enter into and sign a Specific Performance Real Estate Contract for the total contract sale price. Required earnest money deposit to be in the form of wired funds, a personal, business, or corporate check for a minimum 15% of the purchase price which is due within 24 hours of the signing of the contract. It will be deposited with Titles

of Dakota. The purchase contract shall not be contingent upon inspection, and appraisal, and shall be a Specific Performance contract. These Terms and Conditions shall be incorporated into and made part of this contract.

CLOSING: Purchaser(s) shall pay in cash, electronic transfer funds, or cashier's check (Good Funds), the balance of purchase price (purchase price less earnest money deposit), plus their respective closing costs, and sign and complete all customary or required documents at closing. Closing on Tracts 1&2 will be on or before December 30, 2026 and closing on Tracts 3,4 & 5 will be on January 5th, 2027. Closing is to be conducted by Titles of Dakota, 209 N Deadwood St, Ft. Pierre, SD. The title insurance cost and closing service fees are to be split equally between Sellers and Purchaser(s).

POSSESSION: Possession of land upon the closing and recording of the deed.

PROPERTY CONDITION: The prospective Purchaser(s) should verify all information contained within the sealed bid packet. All prospective bidders are urged to fully inspect the property, and its condition, and to rely on their own conclusions the property is being sold AS IS, WHERE IS, without warranty, representation, or recourse to Sellers or Seller's Agents.

TITLE: Sellers to pass title by a Warranty Deed. The Purchaser(s) is to receive a TBD title commitment within the Property Information Packet. An updated title commitment with the Purchaser(s) name, lender, purchase price, and all supplements and additions thereto will be provided after the auction and before closing. An owner's title insurance policy in an amount equal to the Purchase Price will be provided after closing. Title Insurance is to be used as evidence of marketable title and the cost of the premiums is to be split between the Sellers and Purchasers. Property to be sold subject to existing roads and highways; established easements and rights-of-ways; other matters affected by title documents shown within the title commitment; and zoning, building, subdivision, and other restrictions and regulations of record. Title commitments will be available for review and incorporated into the Property Information Packet and will be incorporated and made a part of the Real Estate Purchase Contract.

REAL ESTATE TAXES: Taxes for 2026 shall be paid by Sellers. All 2027 taxes will be paid by the Buyer.

LEGAL DESRIPTION/TRACTS:

Tract 1 (162.01 Acres +/-) SW1/4 of Section 30
Tract 2 (160.00 Acres +/-) SE 1/4 of Section 30
Tract 3 (158.51 Acres +/-) NW1/4 of Section 29
Tract 4 (158.51 Acres +/-) NE1/4 of Section 29
Tract 5 (160.00 Acres +/-) SE1/4 of Section 29
All in Township 116 North, Range 77 West, Sully County, South Dakota

MINERALS: All mineral rights (if any) currently owned by the Seller will transfer to the Purchaser at closing. Seller does not guarantee the amount of mineral rights owned.

WATER RIGHTS: None

ACREAGES: All stated acreages are approximate and are obtained from the county tax records, current legal descriptions, and/or aerial photos, and FSA information. No warranty is expressed or implied as to the exact acreages of the property. All bids are for the total parcel without regard to exact acreage. There will be no adjustment in the purchase price of the acreage that is different from what is stated in this brochure and/or stated at the auction. The detailed brochure includes the estimated taxed acres. All price per acre calculations in the initial brochure, detailed brochure, and visual presentation at the auction is based on the Sully County County Assessor records. Any crop, base, and harvest numbers are from FSA and NRCS dry land measurements.

TIMELINE:
Auction Days: December 1st - 2nd, 2026

Closing: Tracts 1&2 On or before December 30, 2026
Tracts 3,4 & 5 On January 5th, 2027

ANNOUNCEMENTS: This is a Sealed Bid auction. The information contained herein has either been given to us by the owners of the properties or obtained from sources deemed reliable. We have no reason to doubt its accuracy, but we do not guarantee it. Hayden Outdoors and the Sellers assume no responsibility for the omissions, corrections, or withdrawals. The prospective Purchaser(s) should verify all information contained herein. All prospective bidders are urged to fully inspect the property, and its condition and to rely on their own conclusions. All property is to be sold AS IS, WHERE IS, without warranty, representation, or recourse to Sellers. The purchase contract shall not be contingent upon inspection, appraisal, or financing and shall be a Specific Performance contract subject to seller confirmation. Hayden Outdoors and all other agents of Broker will be acting as agents of Sellers. Announcements made by Hayden Outdoors at the time of sale will take precedence over any previously printed material or other. oral statements. Hayden Outdoors reserves the right to require bank references upon request. and reserves the right to refuse bids from any bidder. Bidding increments at the discretion of the Broker and/or Auctioneer.