



AG SERVICES

FARMLAND AUCTION

Tuesday, November 21st, 2023 – 10:00 AM

The Joseph Toman Trust

Tract 1: 84.12 +/- Acres in Sumner Twp., Kankakee County

Tract 2: 89.24 +/- Acres in Sumner Twp., Kankakee County



125 Mooney Drive, Suite #4

Bourbonnias, Illinois

www.firstmidag.com

Ashten Masching, Broker amasching@firstmid.com

David Klein, Designated Managing Broker & Auctioneer

Auctioneer License #441.001928 dklein@firstmid.com

(815) 936-8975

(309) 261-3117

(800) 532-5263

GENERAL INFORMATION

SELLER: The Joseph Toman Trust

DESCRIBED AS: See Legal Descriptions on Page 13

LOCATION: 2.7 miles east of Manteno, IL on **5000 E at 9000N Rd.**
(Also known as County Road 9 & County Road 51)
10 miles northeast of Kankakee-Bourbonnais, IL
50 miles south of "The Loop" at Chicago, IL



TIME AND

PLACE OF SALE: **LIVE IN-PERSON/ONLINE AUCTION: At 10:00 a.m.**

Tuesday, November 21st, 2023

Manteno Sportsmen's Club

851 N Main Street

Manteno, IL 60950

Bid anytime from November 1st through November 21st at 10:00 a.m. CST @

<https://firstmidag.bidwrangler.com> or download the First Mid Ag app from the App store on your mobile device. A live auction will begin at 10:00 a.m. CST on November 21st.

**ATTORNEY
FOR SELLER:** Austin Willis- Fisher Meents Law
207 S Water Street
Wilmington, IL 60481
austin@meentslaw.com

AGENCY: Ashten Masching, Broker, and David Klein, Auctioneer, are designated agents with First Mid Ag Services, a Division of First Mid Wealth Management and represent only the Seller in this transaction.



Disclosures and Disclaimer: The information provided is believed to be accurate and representative. The property is being sold on an "AS IS, WHERE IS" basis, and no warranty or representation, either express or implied, concerning the property is made by the Seller or the auction company. All information contained in all related materials is subject to the terms and conditions outlined in the purchase agreement. Each potential bidder is responsible for conducting his/her own independent inspections, investigations, inquiries, and due diligence concerning the property. The information contained here is believed to be accurate but is subject to verification by all parties relying on it. All sketches and dimensions are approximate. By bidding on the real estate, the Buyer agrees that Buyer has had ample opportunity to inspect the property. This sale may be recorded and/or videotaped with the permission of the auctioneer. Seller and Seller's agent disclaim any and all responsibility for Bidder's safety during any physical inspection of the property. No party shall be deemed an invitee of the property by virtue of the offering of this property for sale. Conduct of the auction and increments of bidding are at the direction and discretion of the Auctioneer. **All announcements day of sale will take precedence over printed material.** The Auction Company and Sellers reserve the right to preclude any person from bidding if there is any question as to the person's credentials or fitness to bid. Announcements will be allowed on auction day ONLY with prior approval from First Mid Ag Services.

Updated brochure 11.06.2023

TERMS AND CONDITIONS

SALE METHOD:

Registrations for bidders are due at 10:00 am on the day of the auction. All bidding is on a “per-acre” basis. All bidders will have the opportunity to raise their bids at an auction on November 21, 2023, to determine the final high bidder through live, **in-person, or online bidding**. For bidders concerned about live, in-person bidding, we provide an alternative online bidding option. Details are below.

This is a two-tract auction. Tracts will be offered as a “**Choice and Privilege**” auction. “Choice and Privilege” allows the high bidder the choice to choose what tract he/she would like. The contending bidder will have the privilege of taking the remaining tract at the high bid price, if available. If there is a remaining tract after the high bidder and the contending bidder make their decisions, the remaining tract will be offered with another round of bidding. Tracts **will not be re-combined at the end**. For bidders concerned about live in person bidding, we provide an alternative online bidding option. Call 815-936-8975 for details.



Online bidding is conducted at <https://firstmidag.bidwrangler.com/ui> or download the First Mid Ag App from the App store on your mobile device! **See Addendum for further details and online bidding instructions.**

CONTRACT:

Buyer will enter into a contract with a 10% down payment, and the balance due on or before December 22nd. All property will be sold “as is, where is.”

FINANCING:

Bidding is not conditional upon financing, or any buyer or lender inspections. Be certain you have arranged financing, if needed, and are capable of paying cash at closing.

TITLE:

A title insurance policy in the amount of the sale price, subject to standard and usual exceptions, to be furnished to the Buyer.

LEASE & POSSESSION:

The current variable cash rent lease with Justin Heisner has been terminated. Seller will retain the Landowner’s share of 2023 rents. Buyer will have possession following the harvest of the 2023 crop. If the successful Buyer(s) needs a tenant, Justin Heisner would be very interested in continuing farming the land.

REAL ESTATE TAXES:

2022 real estate taxes payable in 2023 have been paid by the Seller before the auction. 2023 real estate taxes payable in 2024, to be credited by the Seller at closing to the Buyer based on the most recent information. All future year’s real estate taxes, to be paid by the Buyer.

www.firstmidag.com

[@Firstmidag](https://www.instagram.com/firstmidag)



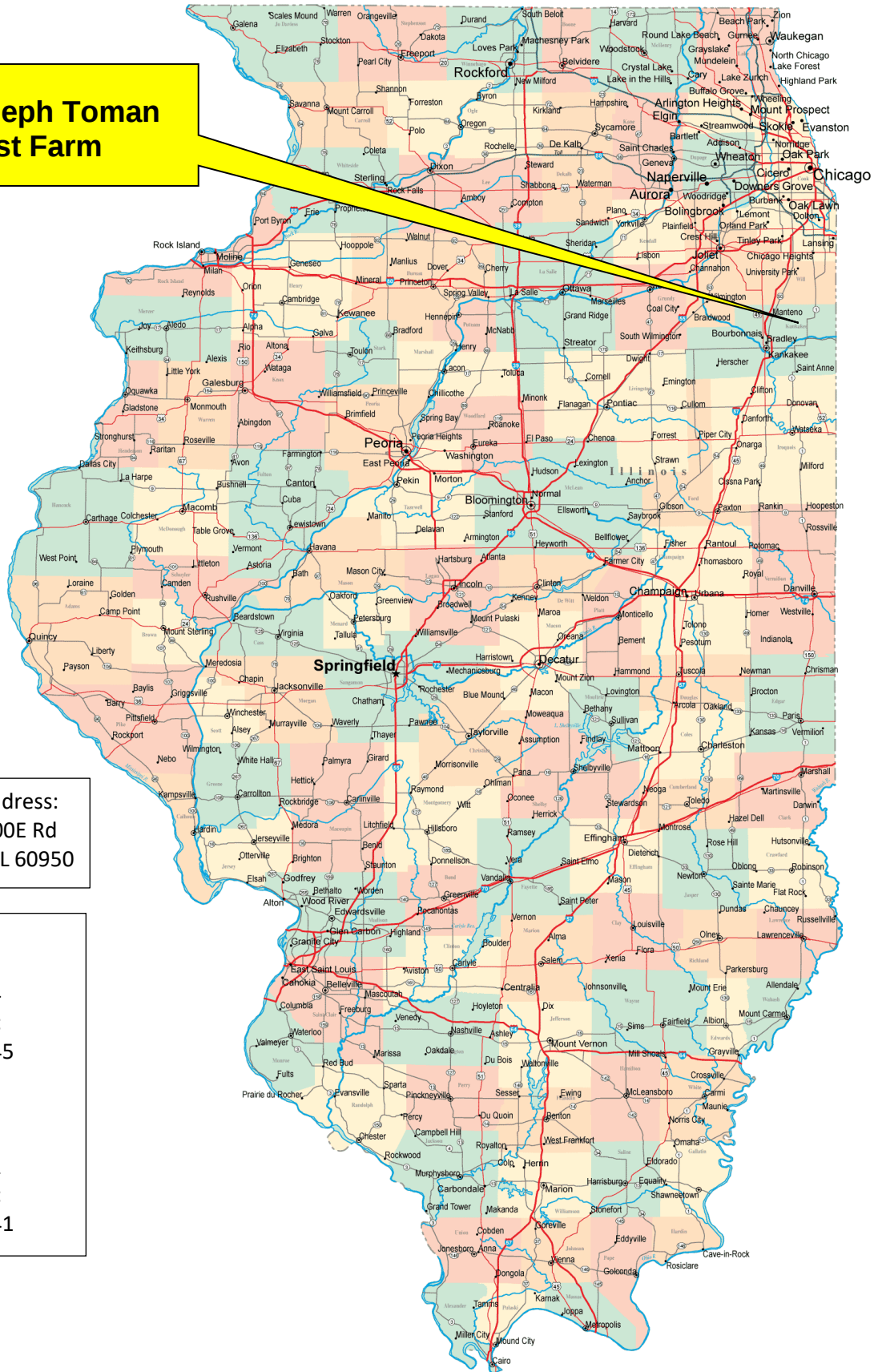
STATE MAP

**The Joseph Toman
Trust Farm**

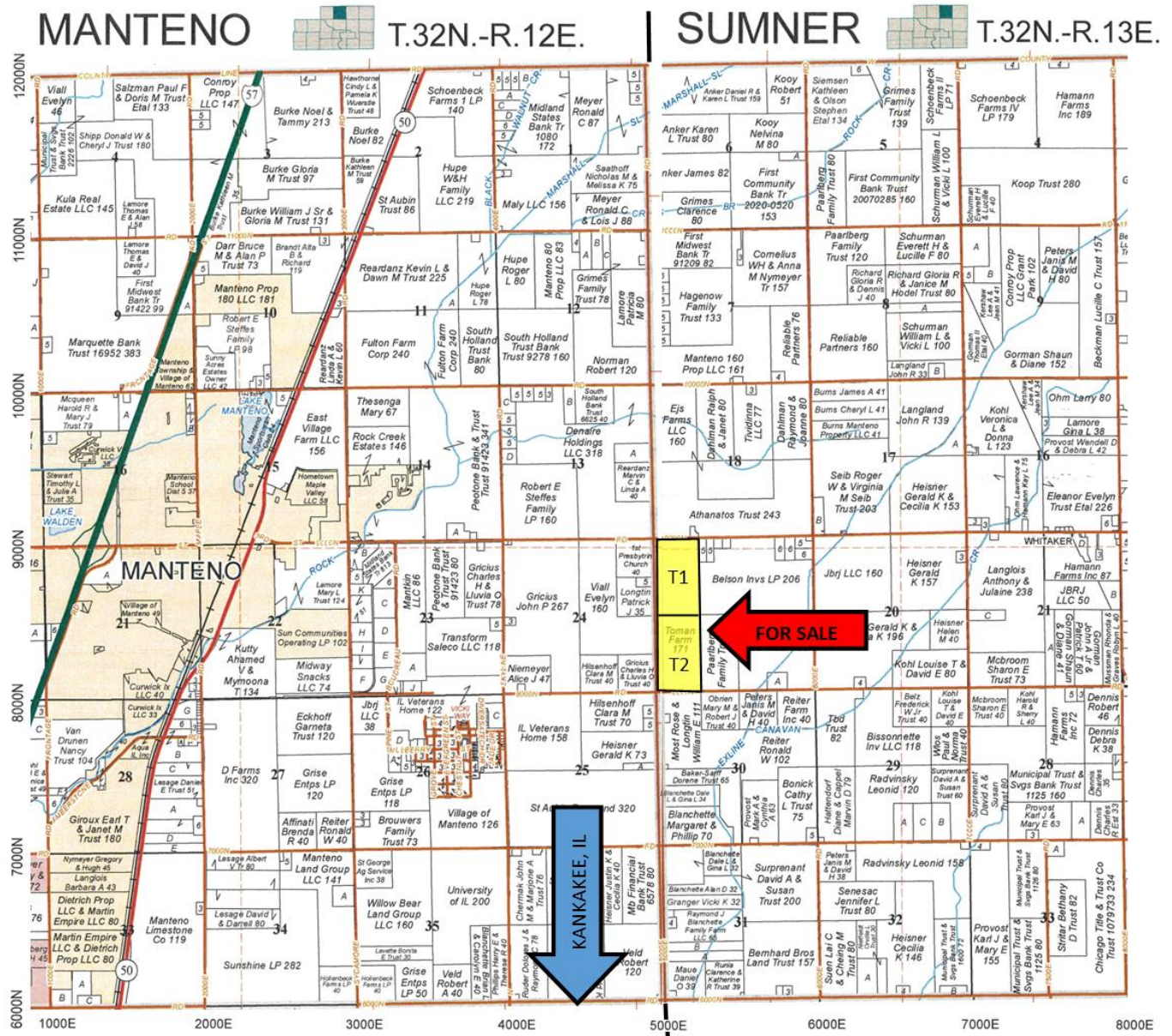
Physical Address:
8871 N 5000E Rd
Manteno, IL 60950

Tract 1 -
Latitude:
41.248114
Longitude:
-87.778545

Tract 2 -
Latitude:
41.240912
Longitude:
-87.779141



PLAT MAP



Reprinted with permission from Rockford Map Publishing, Inc.

AERIAL PHOTO – TRACT 1 & 2



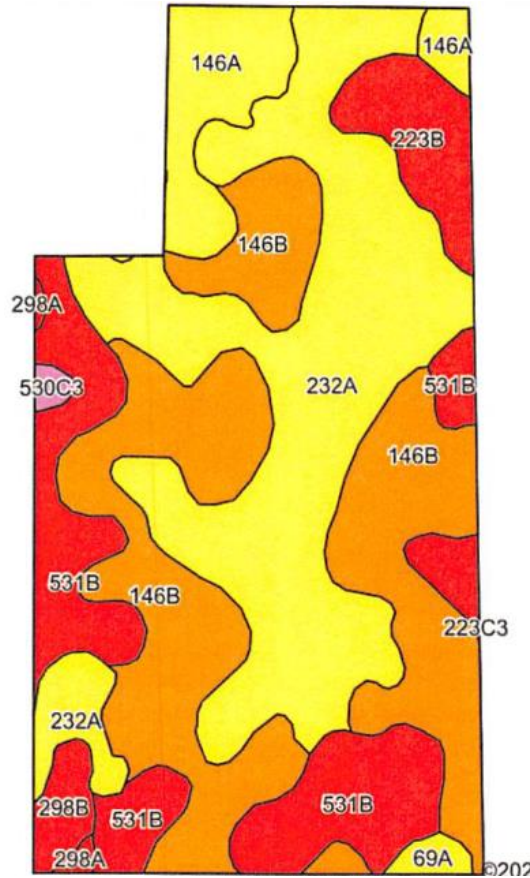
Source: Agridata, Inc.

FSA INFORMATION

FSA / TRACT#	2044/333
HEL (Highly Erodible) STATUS	Not HEL
WETLAND STATUS	Tract does not contain a wetland in cropland
FSA FARMLAND ACRES	168.74
DCP CROPLAND ACRES	161.49
CORN BASE ACRES	120.00
PLC YIELD CORN	155
SOYBEAN BASE ACRES	40.00
PLC YIELD SOYBEANS	48
PROGRAM ELECTION ON CORN, AND SOYBEANS	ARC – Corn ARC – Soybeans

Source: Kankakee County, Illinois, USDA FSA Office.

SOIL MAP – TRACT 1: 84.12+/- Surveyed Acres



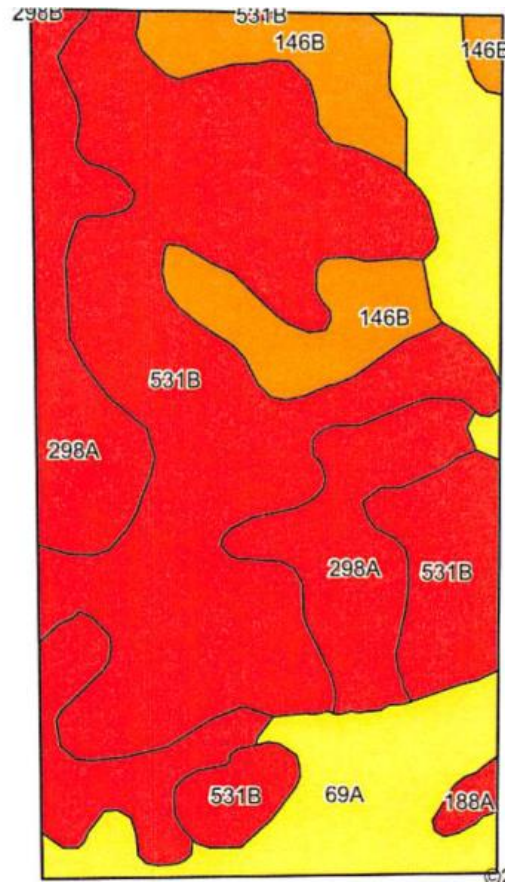
Source: Agridata, Inc.

Soil Name	Soil #	Acres	Corn Bu/A	Soybeans Bu/A	Soil Productivity 811	Approx. % Soil
Ashkum silty clay loam, 0-2% slopes	232A	25.95	170	56	127	35.7%
Elliott silt loam, 2-4% slopes	146B**	23.51	166**	54**	124**	32.4%
Markham silt loam, 2-4% slopes	531B**	12.56	153**	50**	113**	17.3%
Elliott silt loam, 0-2% slopes	146A	4.95	168	55	125	6.8%
Varna silt loam, 2-4% slopes	223B**	3.31	156**	50**	115**	4.6%
Beecher silt loam, 2-4% slopes	298B**	1.24	150**	50**	113*	1.7%
Milford silty clay loam, 0-2% slopes	69A	.54	171	57	128	0.7%
Ozaukee silty clay loam, 4-6% slopes	530C3**	.31	132**	41**	96**	0.4%
Beecher silt loam, 0-2% slopes	298A	.28	152	51	114	0.4%
Estimated Weighted Soil Productivity using Bulletin 811:					122.5	

The University of Illinois updated Soil Productivity Ratings for Illinois in August 2000 with Bulletin 811. **The highest possible SOIL P.I. is now 147.** For those that prefer to use the weighted corn yield PI, AgriData estimates 183.8 weighted average and 57.9 on soybean yield PI for this entire farm.

** Indexes adjusted for slope and erosion according to Bulletin 811 Table S3.

SOIL MAP – TRACT 2: 89.24+/- Surveyed Acres



Source: Agridata, Inc.

<u>Soil Name</u>	<u>Soil #</u>	<u>Acres</u>	<u>Corn Bu/A</u>	<u>Soybeans Bu/A</u>	<u>Soil Productivity 811</u>	<u>Approx. % Soil</u>
Markham silt loam, 2-4% slopes	531B**	42.17	153**	50**	113**	48.3%
Beecher silt loam, 0-2% slopes	298A	19.20	152	51	114	22.0%
Milford silty clay loam, 0-2% slopes	69A	15.53	171	57	128	17.8%
Elliott silt loam, 2-4% slopes	146B**	9.85	166**	54**	124**	11.3%
Beardstown silt loam, 0-2% slopes	188A	0.62	152	50	114	0.7%
Estimated Weighted Soil Productivity using Bulletin 811:					117.1	

*The University of Illinois updated Soil Productivity Ratings for Illinois in August 2000 with Bulletin 811. **The highest possible SOIL P.I. is now 147.** For those that prefer to use the weighted corn yield PI, AgriData estimates 186.4 weighted average and 59.9 on soybean yield PI for this entire farm.*

*** Indexes adjusted for slope and erosion according to Bulletin 811 Table S3.*

Weighted Soil PI for Tracts 1 & 2 Combined: 119.1

ADDITIONAL INFORMATION

REAL ESTATE TAXES:

Tract	Tax Parcel #	Tax Acres	2022 Net Taxable Value	2022 Tax Rate	2022 Taxes due in 2023
#1	02-03-19-100-01	85.00	\$42,968	9.5568%	\$4,106.38
#2	02-03-19-300-02	86.32	\$29,962	9.5568%	\$2,863.42

YIELD HISTORY:

Year	Corn (bu./acre)	Year	Soybeans (bu./acre)
2014	168	2013	51
2016	215	2015	61
2018	211	2017	53
2020	186	2019	55
2022	210	2021	61
2023	-	2023	57
Avg.	198	Avg.	56

Source: Production records supplied by Tenant from his crop insurance records.

SOIL FERTILITY TEST RESULTS:

Crop Field	Tract 1 & 2
Sample Date	06-09-2021
# of Sample site	46
Average pH:	6.4
Average P1:	61
Average K:	368
Average CEC:	20.8
	1. Samples taken by Agricultural Soil Management in 3.3 acre grids. 2. Samples GPS located throughout field. Actual results available upon request. P & K reported in lbs/a.

PHOTOS – TRACT 1



Looking east across Tract #1.



Farm Lot- there are older buildings and a well along with electric service at this location.



A wetland/pond does exist in the non-tillable lot area at the northwest corner of Tract #1.

PHOTOS – TRACT 2

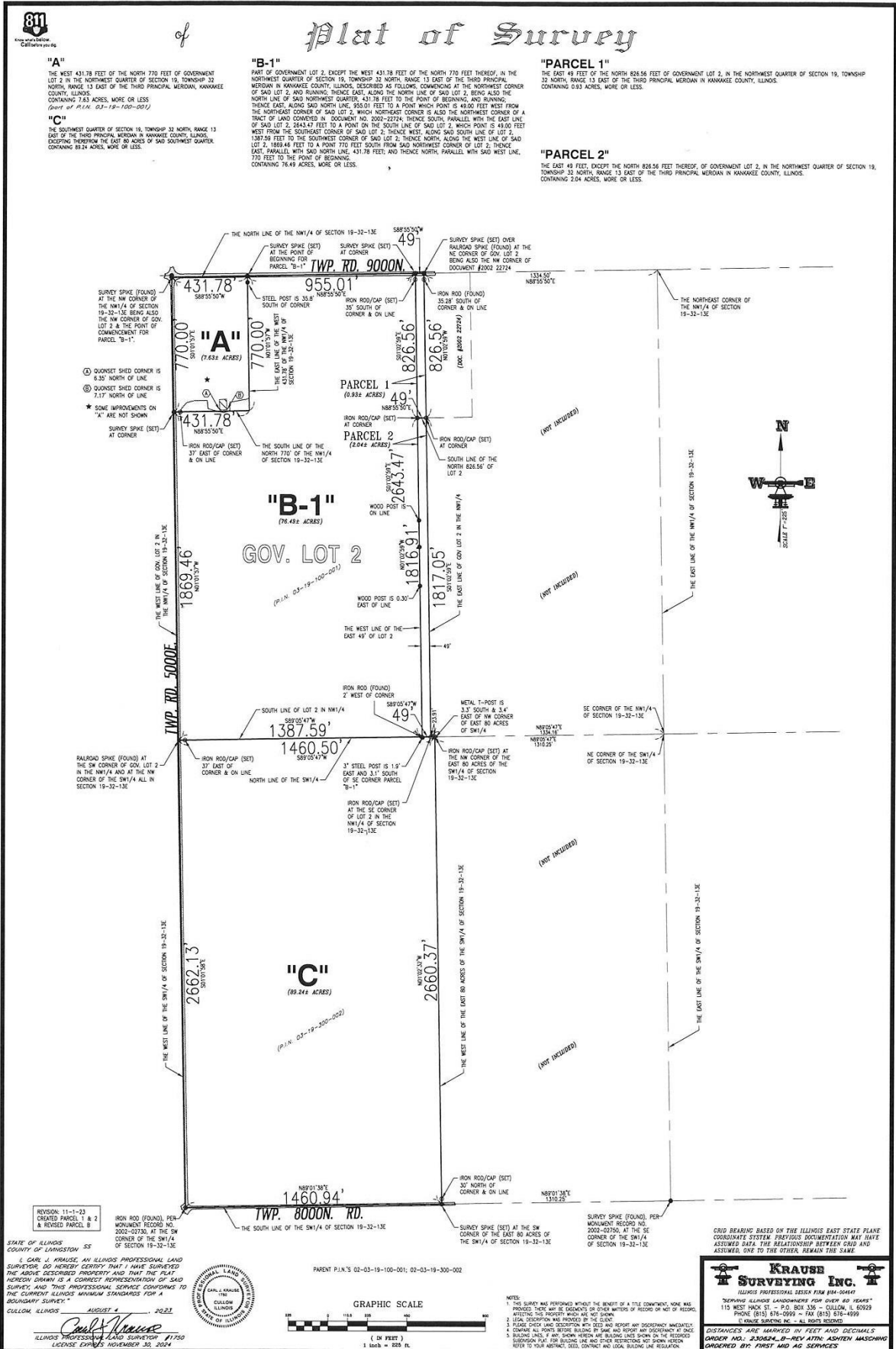


Water hydrant along E 8000 North Rd



Water valve along E 8000 North Rd

SURVEY



LEGAL DESCRIPTIONS FROM SURVEY

Parcel A is part of Tract #1:

“A”

THE WEST 431.78 FEET OF THE NORTH 770 FEET OF GOVERNMENT LOT 2 IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 32 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANKAKEE COUNTY, ILLINOIS.

CONTAINING 7.63 ACRES, MORE OR LESS.

Parcel B is part of Tract #1:

“B”

PART OF GOVERNMENT LOT 2, EXCEPT THE WEST 431.78 FEET OF THE NORTH 770 FEET THEREOF, IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 32 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN KANKAKEE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS, COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, AND RUNNING; THENCE EAST, ALONG THE NORTH LINE OF SAID LOT 2, BEING ALSO THE NORTH LINE OF SAID NORTHWEST QUARTER, 431.78 FEET TO THE POINT OF BEGINNING, AND RUNNING; THENCE EAST, ALONG SAID NORTH LINE, 955.01 TO A POINT WHICH POINT IS 49.00 FEET WEST FROM THE NORTHEAST CORNER OF SAID LOT 2, WHICH NORTHEAST CORNER IS ALSO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED IN DOCUMENT NO. 2002-22724; THENCE SOUTH, PARALLEL WITH THE EAST LINE OF SAID LOT 2, 2643.47 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2, WHICH POINT IS 49.00 FEET WEST FROM THE SOUTHEAST CORNER OF SAID LOT 2; THENCE WEST, ALONG SAID SOUTH LINE OF LOT 2, 1387.59 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 2, 1869.46 FEET TO A POINT 770 FEET SOUTH FROM SAID NORTHWEST CORNER OF LOT 2; THENCE EAST, PARALLEL WITH SAID NORTH LINE, 431.78 FEET; AND THENCE NORTH, PARALLEL WITH SAID WEST LINE, 770 FEET TO THE POINT OF BEGINNING.

CONTAINING 79.46 ACRES, MORE OR LESS.

Parcel C is Tract #2:

“C”

THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 32 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN KANKAKEE COUNTY, ILLINOIS, EXCEPTING THEREFROM THE EAST 80 ACRES OF SAID SOUTHWEST QUARTER.

CONTAINING 89.24 ACRES, MORE OR LESS.

ADDENDUM

PLEASE READ AND REVIEW THE FOLLOWING TERMS PRIOR TO BIDDING ON PROPERTY OFFERED BY FIRST MID AG SERVICES. BIDDING ON THIS ONLINE PLATFORM OBLIGATES YOU AND THE SELLER TO CERTAIN LEGAL AGREEMENTS. IF YOU HAVE NOT READ AND DO NOT UNDERSTAND THESE TERMS, DO NOT BID. BY BIDDING THROUGH THIS APP/WEBSITE YOU AGREE TO ALL TERMS AND CONDITIONS AS SET FORTH IN THE TERMS AND CONDITIONS LISTED OR REFERENCED BELOW.

Terms and Conditions

Seller: The Joseph Toman Trust

Sale Method: Registrations for bidders are due by 10:00 am on the day of the auction. All bidding is on a “per acre” basis. All bidders will have the opportunity to raise their bids at an auction on November 21st, 2023, to determine the final high bidder through live, in-person or online bidding. This is a two-tract auction. Each tract will be offered by “Choice & Privilege” method format. High bidder can choose one or both tracts. Contending bidder can take the remaining tract at the high bid price. If both tracts are not selected in the first round of bidding a second round of bidding will occur for the remaining tract. Tracts will not be combined at the end of the auction. For bidders concerned about live, in-person bidding, we will provide an alternative online bidding option. Call David Klein, Auctioneer, at (309) 261-3117 for details. **Online bidding** is conducted at <https://firstmidag.bidwangler.com/ui> or download the First Mid Ag App from the App store on your mobile device.

Contract: Buyer will enter into a contract with a 10% down payment, and the balance due on or before December 22nd. All property will be sold “as is, where is.”

Financing: Bidding is not conditional upon financing, or any buyer or lender inspections. Be certain you have arranged financing, if needed, and are capable of paying cash at closing.

Title: A title insurance policy in the amount of the sale price, subject to standard and usual exceptions, to be furnished to the Buyer.

Lease and Possession: The current variable cash rent lease with Justin Hesiner has been terminated. Seller will retain the Landowner’s share of 2023 rents. Buyer will have possession following the harvest of the 2023 crop, or closing whichever is later. If the successful Buyer(s) needs a tenant, Justin Hesiner would be very interested in continuing farming the land.

Real Estate Taxes: 2022 real estate taxes payable in 2023 have been paid by the Seller before the auction. 2023 real estate taxes payable in 2024, to be credited by the Seller at closing to the Buyer based on the most recent information. All future year’s real estate taxes, to be paid by the Buyer.

Bidder Registration: All potential bidders must register with First Mid Ag Services and receive a bidder number prior to bidding. This is completed through our online registration process or in person the morning of the auction. A bidder must meet satisfactory identification in order to be authorized to bid in person or online. We reserve the right to require you to satisfy us of your legal capacity and financial ability to perform on this transaction prior to or after bidding has occurred. As an online bidder, you consent to receiving phone calls, text messages or emails from First Mid Ag Services personnel.

As an online bidder, if you are the successful buyer, you are agreeing to return a signed contract to purchase property and pay the required stated down payment in the form of a personally delivered good check, certified cashier's check or wire transfer of funds by 4:00 PM on November 21, 2023.

Technology Use: Technology in a post COVID-19 world has provided us with many benefits and many challenges. We provide our best effort to make technology easy to use. However, we are not responsible for technology failures and cannot be held liable if your bids are not accepted. In the event of a technology failure, internet outage on our part or other technical difficulties related to the server, software, or any other online related technology, First Mid Ag Services reserves the right to extend, continue or close bidding. Neither the software provider, nor First Mid Ag Services shall be held responsible for a missed bid or failure of the software to function properly for any reason.

Online Bidding Procedure: All bids on this tract will be visible online, but the identity of bidders is confidential. See auction terms and conditions for minimum bid requirements and details. Auctioneer reserves the right to set the increments at which bids may be advanced. Any bid you place during the auction is a legally binding offer to purchase real property being auctioned. Your bid may be accepted by the auctioneer and the terms and conditions for the auction will be part of the foregoing agreement. All bids shall be deemed “pending” unless and until they are accepted by the auctioneer and no bid shall be deemed a valid bid unless and until it is accepted by the auctioneer. This includes the discretion to reject any bid which the auctioneer believes does not advance the auction or is injurious to the auction. Bids that appear to the auctioneer to be nominal, suspicious or suspect may be rejected by the auctioneer.

Approval of Bids: All bids are being taken on a per acre basis unless otherwise noted. The multiplier will be price bid x total acres stated to equal the total purchase price and amount due from the successful buyer's accepted bid. Final sale is subject to the Seller's approval or rejection of the final bid price.

The farm will be sold as two tracts, **Tract 1: 84.12 +/- surveyed acres and Tract 2: 89.24 +/- surveyed acres.**

Bid price X tract surveyed acres will equal the total consideration due.

Agency: Ashten Masching, Broker, and David Klein, Managing Broker and Auctioneer, are designated agents with First Mid Ag Services, a Division of First Mid Wealth Management and represent only the Seller in this transaction. The successful bidder is acknowledging that they are representing themselves in their bidding and any necessary steps to complete the transaction.

Remedies for Not Completing Contract and Down Payment Requirements: If a successful bidder/Buyer does not execute and return the completed contract and down payment deposit by 4:00 PM Central Time, November 21, 2023, the Buyer will be considered to be in default. Such default by the successful bidder/Buyer will result in that Bidder's liability to both the Seller and First Mid Ag Services. Seller shall have the right to take one of the following actions: 1. Declare this contractual agreement cancelled and recover full damage for the breach. 2. To elect to affirm to contractual agreement and enforce specific performance or 3. Seller can resell the property either publicly or privately with First Mid Ag Services and in such an event, the Buyer shall be liable for payment of any deficiency realized from the contingent sale, plus all costs, including, but not limited to the holding costs of the property, the expenses of both sales, legal and incidental damages of both the Seller and First Mid Ag Services. In addition, First Mid Ag Services also reserves the right to recover any damages separately from the breach of the Buyer. Both the successful bidder and Seller shall indemnify and hold harmless First Mid Ag Services from any costs, losses, liabilities, or expenses including attorney fees resulting from First Mid Ag Services being named as a party to any legal action resulting from either Bidder's or Seller's failure to fulfill any obligations and undertakings as set forth in this contractual agreement. Closing shall be set within 30 days of the conclusion of the auction and the balance of funds to purchase the property due at that time. The Seller will provide a preliminary title search prior to the auction, and a complete title insurance policy in the amount of the purchase price at closing, subject to usual and customary exceptions.

Disclaimers: Information provided herein was obtained from sources deemed to be reliable, but neither First Mid Ag Services, nor the Seller makes any guarantees or warranties either expressed or implied as to its condition or accuracy. This sale is subject to all leases, covenants, easements and restrictions of record. All potential bidders are urged to inspect the property, its condition and to rely on their own conclusions. By bidding you acknowledge and agree that you have had a full and fair opportunity to inspect the property and that you are relying solely on, or that you have waived, such inspection and investigation, in determining whether to bid, an amount to bid and in bidding. All sketches, dimensions and acreage figures are approximate or "more or less" and the property is being sold in "As-is" "Where-is" and "with all faults" condition. First Mid Ag Services and the Seller reserve the right to preclude any person from bidding if there is any question as to the person's credentials or fitness to bid. Seller reserves the right to reject any and all bids.

**REGISTRATION SHEET
THE JOESPH TOMAN TRUST
FARMLAND AUCTION
10:00 A.M. – Tuesday, November 21st, 2023
Manteno Sportsmen's Club
851 N Main Street
Manteno, IL**

In order to participate in this sale, you must register to bid and be approved by the Auctioneer.

I wish to participate in the auction of The Joesph Toman Trust located in Kankakee County, Illinois; being 173.36 +/- surveyed acres in 2 tracts:

Registration to Bid:

NAME: _____

ADDRESS: _____

CITY/STATE: _____

PHONE NO: _____

EMAIL: _____

SIGNATURE: _____

If I am the successful bidder, I agree to the terms provided, will sign the Seller provided real estate contract and pay the non-refundable 10% down payment immediately following the auction. I understand I am bidding by the acre and this auction is not contingent upon my ability to obtain financing.

Registration forms can be sent to:



**Attn: Ashten Masching Broker, or David Klein, Auctioneer
125 Mooney Drive, Suite 4, Bourbonnais, IL 60914
www.firstmidag.com
Phone: 815-936-8975**

By placing this bid I understand Ashten Masching, Broker, and David Klein, Managing Broker and Auctioneer, are the designated agents with First Mid Ag Services, representing the Seller only in this transaction and they are not acting on my behalf. Auctioneer License #441.001928. This notice of no agency is being provided as required by state law.