

1650

Houses For Sale



New Listing

801 East Side Dr.

Updated kitchen & bath on .64 acres. East on Hwy. 52, turn south on East Side Drive. Perry, Century 21 (605)661-8726.

1655

Mobile Homes For Sale

Attention we buy mobile homes. Cash on the spot. Call (605)665-0822 or 1-800-779-0822.

Handyman's Special: Lakeside

Mobile Home Park, 3-bedroom, needs work, C/A. \$1,250. (303)887-4243.

1660

Acreeage - Lots For Sale

For Sale: Lots of lots! Call Jim Tramp, (605)661-2192.

Ridgeway North Development

has numerous lots available. North of Hillcrest Golf Course. Call Kirby Hofer, (605)665-0524 or (605)660-1422.

1685

Want To Buy Real Estate

We pay *cash* for used mobile homes! (712) 252-4381

1700

Merchandise

SUNHEAT Quartz Infrared Portable Heater. Model 1500. Used one season. Perfect condition. New \$329, asking \$225. (605)661-3020.

Tell City dining

table, and 8 chairs \$200. Oak china cabinet \$100. Queen-sized bedroom set, 3-pieces with mattress and box springs \$200. Small deep freeze \$75. Call (605)760-4911.

1705

Items \$100 or Less

19" Color TV with remote, excellent condition, \$25. Call (605)664-9512, leave message.

5 year old

garage door opener, 2 remotes, wall control panel, works well, \$75 (605)760-1588.

Entertainment center, \$50.

Table with two leaves, \$20. Movie cabinet, \$10. (605)260-3000.

Ford 6 cylinder

engine, from a 1989 F150. 300 cubic inch, 4.9 liter. Fuel injected. Ran good when removed. \$100, call (605)660-1027.

Lane dual reclining loveseat.

New condition. \$75. Feather-lite Weedeater. Runs great, but needs new pull cord. \$25. Call (605)665-0429. Leave message if no answer.

Laptop computer with case,

charger, complete, excellent condition \$100. Call (605)660-7165.

Longaberger Corn Basket & checkerboard lid, \$25.

Little People airplane, farm, fire-truck, bus, trike, cow and six people, \$35.00. Kettler scooter, \$15.00. (605)660-0546.

Maytag wringer washing machine

\$50. Call (605)760-2284.

Microwave, \$20, Coffee maker, \$10, Dish set with cups, plates and bowls, \$20.

(605)260-3000.

Queen size headboard with mirror and shelves, very unique \$40.

Small writing desk, nice, \$60. (605)925-7261.

Red table model cream separator,

60 turns per minute, usable, \$95. Call (605)925-7261.

Weston commercial grade electric meat grinder & sausage stuffer #8 1/2hp. motor, \$100/firm.

(605)661-2532 or (605)661-2355.

Whirlpool clothes dryer.

Ultimate Care II Commercial Quality Super Capacity Plus. White, approximately 10 years old, includes 3-prong cord, \$75. (605)660-9029.

1770

Home Appliances

Kenmore washer & dryer, barely used \$300/OBO. Call (605)689-0137.

Kenmore washer & dryer,

white in color, top loading, both items less than 1-year old. \$600 for the set. (605)661-1150.

1780

Items Wanted

Want to buy: Used mobile homes. Call (605)661-8629.

1840

Lost and Found

Found: One pair of women's glasses and case. Found in the alley behind Crane-Youngworth Field on 9/22. Please call (605)661-0043 to identify and arrange for pickup.

1880

Produce

Gundy's Farmers Market Vegetable Sale: All week, taking phone orders for pickup or delivery. (605)660-5922.

2010

Legal and Public Notices

09+26 & 10+3

STATE OF SOUTH DAKOTA IN CIRCUIT COURT

COUNTY OF YANKTON FIRST JUDICIAL CIRCUIT

: SS

CIV. 12-408

NOTICE OF SHERIFF'S FORECLOSURE SALE

\*\*\*\*\*

CORTRUST BANK, N.A.

Plaintiff,

vs.

SARA C. SHELBURG and YANKTON COUNTY, SOUTH DAKOTA,

Defendants.

\*\*\*\*\*

NOTICE IS HEREBY GIVEN

that under and by virtue of a Default Judgment dated September 7, 2012, entered in that action wherein CorTrust Bank, N.A., Plaintiff and holder of certain notes and mortgages executed by Sara C. Shelburg in favor of Cor-Trust Mortgage Inc., which first mortgage was dated March 3, 2008, and recorded in the Office of the Yankton County Register of Deeds in Book 476 on Page 326 on March 7, 2008, and was subsequently assigned to CorTrust Bank, N.A. pursuant to an Assignment of Mortgage recorded in the Office of the Yankton County Register of Deeds in Book 476 on Page 327 on March 7, 2008, and the second mortgage was dated December 8, 2011, and recorded in the Office of the Yankton County Register of Deeds in Book 502 on Page 297 on December 13, 2011, and obtained a judgment against Defendant Sara C. Shelburg, which Default Judgment was in the amount of \$64,400.41, including interest, disbursements, and fees, and adjudging the mortgage lien of CorTrust Bank, N.A. to be a prior lien, I am commanded to sell the real estate described as follows:

Outlet 111D and the South Six Feet (S6') of Outlet 112, County Auditor's Plat of Outlots, City and County of Yankton, South Dakota as per plat recorded in Book G, page 36.

This sale is made subject to redemption in the manner provided by law and in accordance with the total indebtedness due at the time of such redemption as authorized by law in satisfaction of all of said obligations.

Public notice is hereby given that on Tuesday, October 23, 2012, at 10:00 a.m., on the front steps of the Yankton County Courthouse, 410 Walnut Street #205, Yankton,, South Dakota, I will, in obedience to such Judgment, sell the above-described property in the fashion indicated herein, or so much thereof as may be necessary to raise sufficient money to satisfy such Judgment with interest and costs, to the highest and best bidder for cash, lawful money of the United States.

Dated this 19th day of September, 2012.

*/s/ Jim Vlahakis*

Jim Vlahakis, Yankton County Sheriff

Published twice at the total approximate cost of \$63.45.

9+26

NOTICE OF APPLICATION NO. 7385-3 to Appropriate Water

Notice is given that Sam Fousek, 29972 396th Ave, Wagner SD 57380 has filed an application for a water permit to appropriate 3.33 cubic feet of water per second (cfs) from one well to be completed into the Choteau-West Aquifer (260 feet deep) for irrigation of 180 acres with well and acreage all located in the Lots One Thousand Four Hundred Sixty-Five (1465) and Eight Hundred Thirty-Seven (837) of Section 22 and Lot One Thousand Four Hundred Thirty-Five (1435) of Section 15; all in T95N-R63W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Published once at the total approximate cost of \$34.10.

9+26

PUBLIC NOTICE TO QUALIFIED HOMEBUYERS SOUTH DAKOTA HOUSING DEVELOPMENT AUTHORITY 2012 MORTGAGE CREDIT CERTIFICATE PROGRAM

The South Dakota Housing Development Authority ("Authority") is proposing to implement a program for Mortgage Credit Certificates ("MCCs") in South Dakota (the "2012 MCC Program"). MCCs are a form of federal income tax credits to qualified homebuyers. No sooner than 90 days following this Notice, the Authority may issue MCCs to qualified homebuyers in South Dakota according to the guidelines noted below.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends AP-PROVAL of Application No. 7385-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the appli-

2010

Legal and Public Notices

cant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 9, 2012.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$28.31.

9+26

NOTICE OF APPLICATION NO. 7408-3 to Appropriate Water

Notice is given that Roger Baumfalk, 40429 311th St, Avon SD 57315 has filed an application for a water permit to impound 32 acre-feet of water by constructing a dam located in the SE 1/4 NE 1/4 Section 13 with water impounded in the SE 1/4 NE 1/4 Section 13; all in T93N-R62W as a component of the irrigation system authorized by Water Permit No. 7056-3. Water Permit No. 7056-3 appropriates 1.33 cubic feet of water per second from Choteau Creek located in the NW 1/4 NE 1/4 Section 13-T93N-R62W to irrigate 141 acres located in the E 1/2 NW 1/4, E 1/2 SW 1/4, SW 1/4 SW 1/4 Section 18-T93N-R61W and the SW 1/4 NE 1/4 Section 13-T93N-R62W. The existing permit limits pumping from Choteau Creek to April 1 - June 30 unless written authorization to pump past June 30 is granted. The applicant seeks authorization for this dam and to pump water from Choteau Creek at the rate authorized by Permit No. 7056-3 to maintain water to the outlet elevation. Then past June 30 of each calendar year water from the dam may be used for irrigation of the authorized land when diversions are no longer allowed from Choteau Creek.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends AP-PROVAL of Application No. 7408-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 9, 2012.

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2010

Legal and Public Notices

Purchasers of new or existing single-family homes located in South Dakota may apply for an MCC through participating lenders when they apply for financing from the lender for the purchase.

An MCC cannot be issued in connection with a mortgage loan that refinances or pays off an existing mortgage or land contract (except for certain construction period and temporary loans) or with a mortgage loan provided from proceeds of tax-exempt bonds.

The amount of the credit will be 10-50% of the yearly interest paid or accrued on a qualified mortgage. If the credit allowable under the 2012 MCC Program for any taxable year exceeds the qualified homebuyer's tax liability for such taxable year, then such excess credit may be carried over to each of the three succeeding taxable years and, subject to certain limitations, may be added to the credit allowable under the 2012 MCC Program for that succeeding year. The qualified homebuyer may reduce the amount of monthly federal income tax withheld by filing a revised IRS W-4 Employee's Withholding Allowance Certificate in order to have more disposable income with which to make loan payments. Use of the credit will reduce the deduction for home mortgage interest on the homebuyer's federal income tax return.

Current federal tax law may require a payment to the federal government of a "recapture" tax if the homebuyer sells or otherwise transfers his or her home to someone else within nine years after the MCC is issued. The MCC is issued at the time of the closing of a mortgage loan. The recapture tax represents a portion of the "federally subsidized amount" of the mortgage loan, calculated in accordance with federal tax law. The recapture tax may not exceed 50% of the gain realized on the sale or transfer of the home, and it would become a part of the homebuyer's tax liability for the year that the home is sold or transferred. The homebuyer may not have to pay part or all of the recapture amount if his or her income, at the time of the sale or transfer, is less than a prescribed amount at the time of sale or transfer.

To be eligible for an MCC, the homebuyer's gross annual household income may not exceed the limits set forth below. Gross annual household income is the total of all income, from whatever source, of all persons age 18 and older who will reside or who intend to reside in the residence. The maximum family incomes for all borrowers, as established by the Authority, currently range from \$60,400 to \$71,300 (\$72,480 for targeted areas) for one- or two-person families, and from \$69,460 to \$81,995 (\$84,560 for targeted areas) for three-or-more-person families. Income and eligibility standards must be reviewed at least annually and may be revised by the Authority at any time. Limits on income will in no event exceed the maximum levels, if any, permitted by the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code").

The maximum purchase price for homes, as established by the Authority, is currently \$204,432 (\$249,862 for targeted areas).

Homebuyers also must meet the following eligibility requirements:

1. Qualified homebuyers must occupy the residence as their principal residence within 60 days after it is financed by a participating lender. The MCC will expire on the date that the residence ceases to be the principal residence of the qualified homebuyer.

2. Qualified homebuyers must not have had an ownership interest in a principal residence within the preceding three years, except for qualified homebuyers purchasing homes in federally designated targeted areas, who are exempt from this requirement.

3. No more than 15% of the residence being purchased can be used in a trade or business used in accordance with the Code.

The total credit election amount of the 2012 MCC Program is \$235,809,152. Purchasers may obtain an MCC in connection with financing from any lender, including banks, savings and loan associations, mortgage banking firms and credit unions. MCC applications will be accepted on a first-come, first-served basis. A list of participating lenders is available to the public from the undersigned. There is no allocation of MCCs by lender; however, for the first year of the 2012 MCC Program, 20% will be set aside for mortgage loans on residences in targeted areas.

Homebuyers must be qualified for an MCC pursuant to the Code and the guidelines, rulings and interpretations issued by the Internal Revenue Service which shall control in the event of a conflict with other requirements. The homebuyer must meet the credit and underwriting criteria established by the participating lender who provides the mortgage loan. The

2010

Legal and Public Notices

Authority itself does not originate mortgage loans in connection with MCCs.

The applicant must sign all documents and affidavits which are needed to demonstrate the homebuyer's eligibility for an MCC.

For more information on the 2012 MCC Program or for a copy of the participating list of lenders, contact the South Dakota Housing Development Authority, 3060 East Elizabeth Street, Pierre, South Dakota 57501 or call (605) 773-3181 or (TTY) (605) 773-6107.

# Corps

From Page 1

were destroyed, about 1,400 people died in the flood and much of the city was left under water.

Then on Monday, the same panel did a legal backflip and said its new ruling "completely insulates the government from liability," leaving lawyers and residents baffled.

"There are certain criteria where the federal government can be sued, and I think the levee breaches is a perfect example because the Corps of Engineers is the one that developed the levee system," said Alvin Alexis, 62, who had two female cousins die in the flood.

His home was flooded, and he moved his family across the Mississippi River to an area he considers safer. Because he was a renter, he said he got only \$10,000 in federal aid.

In the Lower 9th Ward, one of the areas hit hardest by Katrina, restaurant owner Henry Holmes said he was disappointed. He said he has struggled to keep his restaurant open in an area that is now a mere shell of what it was before the storm.

"I feel like somebody should be held liable," Holmes said.

Neither Holmes nor Alexis were plaintiffs.

Despite the tens of billions of dollars in reconstruction money spent so far in New Orleans, some 500,000 people, businesses and government agencies have sought additional compensation by filing claims against the corps.

But federal laws grant the corps extensive immunity against flood-related lawsuits and give the government lots of leeway in how agencies conduct their business.

The small army of lawyers fighting the corps over Katrina have long lamented how difficult it is to take on the federal government, a fact reinforced by Monday's ruling.

"It's a Herculean task," said Pierce O'Donnell, a lead attorney in the case. "The government makes the laws — they created the immunity; it prints the money — they have unlimited funds; and the case is tried in a building called the U.S. courthouse."

Under federal law, the government cannot be sued over actions that were based "on considerations of public policy," the appeals panel wrote. The corps' decisions regarding the shipping channel fall under that protection, the judges wrote.

Specifically, the ruling dealt with allegations that the Army Corps let a shipping channel called the Mississippi River-Gulf Outlet erode wetlands and swamp forests southeast of New Orleans. The channel was built as a short-cut between New Orleans and the Gulf of Mexico, but the economic benefits never paid off, and only a few ships used it before Katrina.

The corps poorly maintained the channel known locally as "Mister Go," and the erosion and other damage has been called one of the nation's worst environmental disasters by some. Scientists have blamed Mister Go on the loss of about 18,000 acres of marsh and 1,500 acres of cypress swamps.

Wetlands are considered a crucial natural buffer to hurricanes, acting as a buffer that can help keep floodwaters at bay. Attorneys have argued the MRGO became a "hurricane highway" that funneled water into New Orleans and overwhelmed the city's floodwalls, though the government has said the floodwalls would have failed even if the waterway had never been dug.

The Justice Department and the Army Corps declined to comment Tuesday.

# Confidence

From Page 1

National Institutes of Health. The value of Johnson's 401(k) account has risen. Home sales in her neighborhood have ticked up, too, and are commanding higher prices.

"I feel like things are stabilizing," she said. "I don't feel as uneasy as I did a few months ago."

But Johnson, who voted for Obama in 2008, remains undecided on which candidate to back. And she's still a bit nervous about the future.

"It will depend on how my pockets are looking," she says. "Everyday circumstances will drive my decision on how I am going to vote."

Economists point to some key reasons why consumers have grown more confident.

Stocks are up: The Standard & Poor's 500 stock index has surged nearly 15 percent this year. Gas prices have leveled off after rising for several months. And the broad increase in home prices is likely giving would-be buyers more confidence. When prices rise, buyers don't worry so much that a home might lose value after they bought it.

National home prices rose 1.2 percent in July compared with a year ago, according to the Standard & Poor's Case-Shiller index released Tuesday. That was the second straight month in which year-over-year home prices have increased.

Some economists question whether the higher level of confidence is sustainable. They've seen the index spike briefly before since the Great Recession ended more than three years ago. Some say confidence could be affected by negative campaign ads that focus on the economy.

But others note that even a weak economy doesn't feel so bad to many consumers once it begins to make steady improvement.

"The economy is perceived in relative rather than absolute terms," noted St. Louis University political scientist and pollster Ken Warren.

Mark Vitner, a senior economist at Wells Fargo, suggests that former President Bill Clinton might have helped boost confidence with his rousing speech on Obama's behalf at the Democratic National Convention in early September. The Conference Board's consumer confidence survey was conducted Sept. 1-13.

Clinton "rekindled memories of better economic times" and assured voters that the U.S. economy was on the right track, Vitner said.

The consumer confidence survey polled 500 people. The part of the survey that gauges consumers' confidence in the economy now and the part that gauges their outlook for the next six months both rose. Consumers were much more optimistic about the short-term outlook for business conditions, employment and their financial situation.

The rising home prices could also help Obama's prospects. Prices are rising in many large cities in swing states such as Florida, Colorado, Michigan and North Carolina. Prices have risen 3.6 percent in Tampa, Fla., in the past year, for example. And they're up 5.4 percent in Denver, 6.2 percent in Detroit and 2.2 percent in Charlotte, N.C.

A Washington Post poll out Tuesday showed Obama leading Romney among likely voters in Ohio, 52 to 44 percent. The president also had a slight edge in Florida, 51 to 47 percent among those most likely to vote.

Obama is also gaining the upper hand on which candidate is better able to handle the economy. Registered voters in Ohio preferred Obama on the economy by 50 percent to 43 percent, and in Florida by 49 percent to 45 percent.

## CROSSWORD

By THOMAS JOSEPH

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13 It has its ups and downs

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45 Spot

DOWN

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25 LummoX

29 Put back on the payroll

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33 Inert gas

34 Open-handed hit

36 Bath need

37 Wrong

38 Fuming

39 Verb for you

40 Rink material

41 Reverence

NEW CROSSWORD BOOK! Send \$4.75 (check/m.o.) to Thomas Joseph Book 1, P.O. Box 536475, Orlando, FL 32853-6475

1 2 3 4 5 6 7 8 9 10

11 12 13 14 15 16 17 18 19 20 21

22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37

38 39 40 41 42 43 44 45

A X Y D L B A A X R

is L O N G F E L L O W

One letter stands for another. In this sample, A is used for the three L's. X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.

## 9-26 CRYPTOQUOTE

K V H B J S V F X F L P B ` A M C R X T

L R A K G F M H B A P B E F B E A , P B E

A P T L T M C R X T S P A H V P E

A Z Q V O X H F B E A . — S H C C H P L

G Z K C F X T F P K A

Yesterday's Cryptquote: AM I NOT DESTROYING MY ENEMIES WHEN I MAKE FRIENDS OF THEM? — ABRAHAM LINCOLN