



## Staff Report

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**File #:** 22-419

**Version:** 1

**Date:** 9/26/2022

**Item #:** 3.3b.

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**TO:** Mayor and City Council

**THROUGH:** Keith Stahley, City Manager

**FROM:** Kristin Retherford, Urban Development Department Director

### **SUBJECT:**

Purchase and Sale Agreement with James Lowder LLC, Southslope Investments, LLC, PShelton LLC, MDEH Holdings, LLC, and Copple LLC for acquisition of real property adjacent to Franzen Reservoir

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment Stewardship; Safe, Reliable and Efficient Infrastructure.

### **SUMMARY:**

The City of Salem owns and maintains the Franzen Reservoir in Turner, OR as a major component of its drinking water infrastructure. Staff has determined that in order to protect the integrity of the reservoir, it is prudent to acquire property adjacent to it to prevent development from occurring on the embankments surrounding the reservoir.

### **ISSUE:**

Shall City Council authorize the City Manager to execute the attached Purchase and Sale Agreement for acquisition of real property adjacent to Franzen Reservoir?

### **RECOMMENDATION:**

Authorize the City Manager to execute the attached Purchase and Sale Agreement (Attachment 1) for acquisition of real property adjacent to Franzen Reservoir.

### **FACTS AND FINDINGS:**

Staff has come to terms with James Lowder LLC, Southslope Investments, LLC, PShelton LLC, MDEH

Holdings, LLC, and Copple LLC (collectively the "Seller") (respective Members include: James Lowder, William Lowder, Patricia Shelton, Arnold E. Lowder, and Barbara Copple) on terms of a Purchase and Sale Agreement (Agreement) for acquisition of a portion of Seller's property (Property) identified as Tax Lot 082W28B000300 in Turner and adjacent to Franzen Reservoir. Key terms of the Agreement are below.

Purchase Price: \$242,500

Property Size: ~2.3 acres

Earnest Money: \$10,000

Closing: within 30 days of creation of Legal Lot

Contingencies: creation of Legal Lot, environmental review

**BACKGROUND:**

Funding for this acquisition will come from Water Rate funds.

Clint Dameron  
Real Property Services Manager

Attachments:  
1. Agreement