

Invitation for Bids

LEASE OF FARMLAND

The City of Harrisburg is the owner of approximately 48 acres of tillable land that it will make available to the highest qualified bidder for farm use, subject to the following criteria:

Description of Land: The land is east and north of the City of Harrisburg's sewage treatment facility at 23914 Peoria Road, approximately one mile north of the intersection of Highway 99E and Peoria Road. It involves about 48 acres of tillable land within Linn County. The exact description has not been surveyed. The property affected by this lease is shown in general terms on the accompanying map.

Anticipated Term: The lease will commence on or about September 1, 2019, and extend through August 31, 2023.

Return of Possession: At the conclusion of the lease, the condition of the property shall be as good or better as it was upon the commencement of the lease.

Farmer's Qualifications: To qualify as a bidder, a farmer shall demonstrate an ability to pay an annual rent for the property, including the initial lease payment on the date of execution of the lease, and the ability to pay each succeeding annual payment made by August 1st of each year thereafter. To qualify, a bidder must agree to comply with the following terms, which shall become part of the Lease between the Bidder and the City. Those terms include an obligation:

1. To cultivate, operate and farm the land in a responsible and reasonable manner.
2. To ensure fences and improvements thereon are in good condition and repair, as the same exist or as either party may construct.
3. To prohibit at all times the presence of noxious weeds on the land and to keep cut other weeds and grasses on and along the service road.
4. To ensure that no burning of any straw or crop residues occur, except as permitted by law, and then only with the City's permission.
5. To investigate for crop diseases and immediately employ standard treatment procedures for diseases of any crop on the land and to pay the cost thereof.
6. To keep all ditches clean, open and free from brush and growth.
7. To hold the City harmless for all loss of equipment or crops on the land.
8. To indemnify the City for any damage to the land, the City's sewage treatment facility, or any adjacent land that results from or is caused by the Farmer.
9. To maintain general liability insurance with limits of not less than \$1,000,000.
10. To prohibit or prevent any encumbrance of the land or cause or allow any liens to be placed upon it.
11. To pay all property taxes assessed on or for the property.

Soil Preparation: To qualify, a bidder must agree to perform the following services on or to the pasture land:

1. Lime treatment during 2019. (1 to 2 tons per acre, based upon soil analysis.)
2. Spot treatment for thistles annually in April, June and July.
3. Cut the grass along the slough at the north end of the property monthly in May and June, as well as thereafter required by the City's Community Development Superintendent.
4. Fertilizing each April. (300 pounds per acre of 12-15-15, or as determined by soil analysis.)

Additional Provisions: To qualify as a bidder, the farmer shall agree to the following:

1. Under no circumstances shall the lease to be executed be construed as giving rise to a partnership, and neither Farmer nor the City shall be liable for the debts or obligations of the other.
2. The City shall have access to and across the leased land for the operation, repair, maintenance and expansion of the sewage treatment facility operated by the City, including access to plant, maintain and harvest poplar or similar trees on adjacent City property. The City will take reasonable precautions in exercising this right of access to and across the leased land so as to minimize any damage to the farmer's crops.
3. The Farmer will restrict his use of the land for growing a crop or crops. No livestock shall be on the land, except for temporary crop maintenance as the City may authorize.
4. No livestock shall be allowed on gravel or paved roads.
5. Dead livestock shall be removed from the property.
6. The City reserves the right to prohibit certain crops as it determines in its sole discretion.
7. No assignment of the lease or sublease of the property shall be allowed without the written approval of the City Council of the City of Harrisburg.
8. In the event the farmer fails to comply with any of the provisions of the lease, the City shall inform the farmer, in writing, of the act of noncompliance. If the farmer fails to immediately remedy the violation, the City may declare the lease null and void and shall be entitled to immediately retake possession of the land. A refund of any portion of an annual lease payment shall only occur in the event the City is able to lease the property to another farmer.
9. In the event any suit or action is brought to enforce any provision of this agreement or to repossess the premises, reasonable attorney's fees may be awarded to the prevailing party together with costs and necessary disbursements.

Eligible Farmers: Farmers who are eligible to enter into a lease of the involved property shall:

1. Have their principal place of residence within Linn, Lane or Benton Counties.
2. Have earned at least 25% of their household income in each of the past five years from farming.
3. Have a history of farming parcels of land that have consisted of not less than 25 acres of farmland in a prior year.
4. Have a history that indicates that he/she will likely comply with the responsibilities stated above.

Selection of Farmer: If more than one qualified eligible farmer applies to lease this land as outlined above, the lease shall be awarded to the highest qualified bidder that meets the standards outlined in the section herein labeled "Eligible Farmers".

Any eligible farmer who is interested in leasing the involved land must provide a written letter of interest to the City Recorder, City of Harrisburg, 120 Smith St., PO Box 378, Harrisburg, OR 97446, by 1:00 p.m. on or before August 20, 2019. Include your name, address, daytime phone number, e-mail address and annual bid on the letter of interest. Also provide information that will indicate that you are an eligible farmer as stated above.

All bidders or other interested persons are welcome to be present at Harrisburg City Hall at 1:00 on August 20, 2019, at which time the bids will be opened.

If you have any questions, contact Chuck Scholz at the City of Harrisburg at (541) 995-6655.