



To: Mayor & City Council
From: Mark O. Lambert, City Attorney
Date: February 13, 2024
Subject: Sale of MGMC property at 2310 East 13th Street to Hunziker & Associates

Mary Greeley Medical Center (MGMC) is planning to sell real property at 2310 East 13th Street in Ames to Hunziker & Associates.

Although the Iowa Code and the Ames Municipal Code both authorize the city hospital to sell its property on its own, the title to MGMC's properties are in the name of "The City of Ames, d/b/a Mary Greeley Medical Center, a city hospital." Because of this, the City Attorney has advised MGMC that, in addition to the MGMC Board of Trustees approving a sale, it is best for the City Council to also approve the sale of any MGMC property.

The Iowa Land Title Standards tells lawyers reviewing abstracts to document that a city council has passed a resolution approving the sale of city property. At times, MGMC has sold properties without Council involvement, but situations have arisen where when the property is being sold again later on, and a lawyer requests the Council to pass a resolution after the fact giving its approval to the sale, to ensure that the title is clear. (Other attorneys have accepted our explanation that MGMC has the authority to sell property on its own, after we have pointed out the law to them).

But by having the Council approve the sale in conjunction with the MGMC Board of Trustees approving the sale, this should avoid the Council having to retroactively approve the sale of property down the road to satisfy an attorney reviewing an abstract.

The MGMC Board of Trustees is also in the process of approving the sale. **Therefore, Staff is requesting that Council set a public hearing for February 27, 2024, for the sale of the 2310 East 13th Street property to Hunziker & Associates.**

ATTACHMENT(S):

[Res 24-02 Proposing Sale of Land-Signed.pdf](#)