



Item No. 29
MEMO

To: Mayor & City Council
From: Mark O. Lambert, City Attorney
Date: February 27, 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 the City's explanation that MGMC has the authority to sell property on its own, after City staff has pointed out the law to them).

However, 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.

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