

Recorded: 10/16/2023 at 11:49:58.0 AM  
County Recording Fee: \$42.00  
Iowa E-Filing Fee: \$3.78  
Combined Fee: \$45.78  
Revenue Tax:  
Delaware County, Iowa  
Daneen Schindler RECORDER  
BK: 2023 PG: 2576

### **Recorder's Cover Sheet**

**Preparer Information:** James T Peters, 309 First St. E, Independence, IA 50644, Phone: 319-334-9992

**Taxpayer Information:** City of Hopkinton, Iowa, PO Box 154, Hopkinton, IA 52237

**Return Document To:** James T Peters, 309 First St. E, Independence, IA 50644

**Grantors:** City of Hopkinton

**Grantees:** Delaware County Memorial Hospital, d/b/a Regional Medical Center

**Legal Description:** See Page 2

**Document or instrument number of previously recorded documents:**

RECORD OF PROCEEDINGS FOR SALE OF REAL ESTATE  
CITY OF HOPKINTON

Description of real estate:

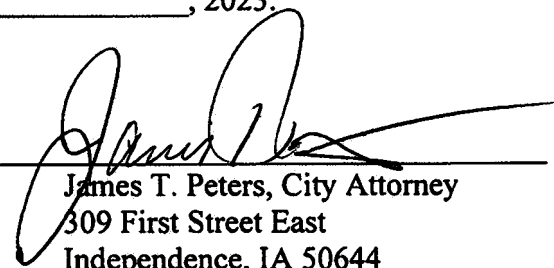
Parcel 2023-67 in Carter's Addition and the East 40 feet of Lots 27, 28, 29, and 30 of Public Square Addition as shown in the Plat of Survey recorded with the Office of the Delaware County Recorder in Book 2023, Page 2414. This real estate is subject to a five-foot wide permanent storm sewer easement in Parcel 2023-67 as shown in the Plat of Survey recorded with the Office of the Delaware County Recorder in Book 2023 Page 2414.

The City Council for the City of Hopkinton has taken action to dispose of its interest in the above described property.

In furtherance thereof the City has taken the following actions:

1. The City set a public hearing for the disposition of the real estate to take place on the 9<sup>th</sup> day of October, 2023 at 7:00 o'clock P.M. A copy of the Council minutes setting hearing is attached.
2. Notice of the public hearing was published in the Delaware County Reader on the 26<sup>th</sup> day of September, 2023. A copy of the notice is attached hereto.
3. The City Council for the City of Hopkinton held a public hearing on the 9<sup>th</sup> day of October, 2023.
4. Following the public hearing, the City Council passed a resolution approving the sale of the above described real estate to in portions designated to the person listed on the attached Resolution.

Dated this 16<sup>th</sup> day of October, 2023.



James T. Peters, City Attorney  
309 First Street East  
Independence, IA 50644  
319-334-9992  
319-334-9993  
jpt@jtplawoffice.com

**HOPKINTON COUNCIL PROCEEDING**  
**September 25, 2023**

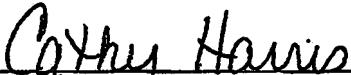
Hopkinton City Council met in special session this date at 7:30 a.m. at City Hall with Mayor Harris presiding. Present at roll call were: Hunter, Supple, Lange and Davis (call in). Absent: Buckner.

Supple moved, second by Hunter to approve the agenda. Ayes: all. Carried.

Supple moved, second by Hunter to approve RESOLUTION 09-2024, "Resolution Approving Preliminary and Final Plat of Parcel 2023-67 in Carter's Addition, the East 40 feet of Lots 27, 28, 29, and 30 of Public Square Addition, and 5.0' wide Permanent Storm Sewer Easement in Parcel 2023-67 the City of Hopkinton, Iowa". Ayes: Lange, Supple, Hunter and Davis. Carried.

Hunter moved, second by Lange to Set Public Hearing for Monday, October 9, 2023 at 7:00 p.m. to CONSIDER NOTICE OF PUBLIC HEARING TO CONSIDER VACATION OF STREET & DISPOSAL OF INTEREST IN REAL ESTATE. Ayes: all. Carried.

Supple moved, second by Hunter to adjourn at 7:36 a.m..

  
Cathy Harris, Mayor

  
ATTEST: Sarah Helle, City Clerk

# Notarization

State of Iowa, Delaware County, ss:

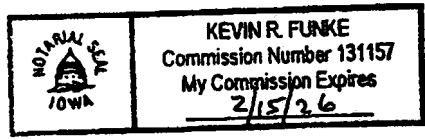
I, Cathy Harris, being duly sworn, state that I am the publisher of The Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for one consecutive week(s) beginning September 26, 2023 and ending same, 20  

PRINTER'S FEES \$ 16.32

Cathy Harris

Subscribed in my presence and sworn to before me by Cathy Harris on this 28th day of SEPT, 2023.

K. Funke  
Notary Public



**Legal Notice--City of Hopkinton**

**NOTICE OF PUBLIC HEARING TO  
CONSIDER VACATION OF STREET &  
DISPOSAL OF INTEREST IN REAL ESTATE  
CITY OF HOPKINTON, IOWA**

THE CITY COUNCIL for the City of Hopkinton, Iowa has set a public hearing for October 9, 2023 at 7:00 P.M. to take place at City Hall, Hopkinton, Iowa to consider vacation of the following street and the disposal of the following property:

Parcel 2023-67 In Carter's Addition, the East 40 feet of Lots 27, 28, 29, and 30 of Public Square Addition, and 5.0' wide Permanent Storm Sewer Easement in Parcel 2023-67

The City Council will also consider disposition of the City's interest in said lots at this hearing.

Sarah Helle, City Clerk  
City Of Hopkinton, IA  
115 First St SE  
Hopkinton, Iowa 52237

## RESOLUTION NO. 11-2024

### RESOLUTION APPROVING THE VACATION AND DISPOSITION OF REAL ESTATE

WHEREAS the City Council for the city of Hopkinton, Iowa has considered the disposition of real estate otherwise known as:

1. Parcel 2023-67 in Carter's Addition and The East 40 feet of Lots 27, 28, 29 and 30 of Public Square Addition as shown in the Plat of Survey recorded with the Office of the Delaware County Recorder in Book 2023 Page 2414.

WHEREAS the City Council has determined that the disposition would serve the following purpose(s):

1. The public ground proposed to be vacated and gifted will serve the public purpose of helping provide for the healthcare of the Hopkinton community as provided by the Delaware County Memorial Hospital d/b/a Regional Medical Center.
2. The proposed vacation will not deny owners of property abutting on any street or alley reasonable access to their property.

WHEREAS the City Council for the City of Hopkinton, Iowa, held a public hearing following publication of notice of public hearing as required by Iowa Code to consider the disposition of real estate upon the terms set forth herein; and

WHEREAS upon close of the public hearings the City Council approved the sale and disposition of the above-described real estate on the terms set forth below:

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOPKINTON,  
IOWA:

1. That a public hearing on the aforesaid proposal for vacation of city street was held on the 9 day of October, 2023, at 7:00 o'clock P.M. in the City Council chambers in the city of Hopkinton, Iowa, and at that time a hearing was also held to consider disposition of said property. The City Council resolves to convey the property described as:
  - A. Parcel 2023-67 in Carter's Addition and The East 40 feet of Lots 27, 28, 29 and 30 of Public Square Addition as shown in the Plat of Survey recorded with the Office of the Delaware County Recorder in Book 2023 Page 2414, and subject to a five-foot wide permanent storm sewer easement in Parcel 2023-67 as shown in the Plat of Survey recorded with the Office of the Delaware County Recorder in Book 2023 Page 2414.

2. The City Council discussed the terms of the attached agreement for vacation, disposition and acquisition of real estate and determined that said agreement is in the best interests of the City and approved the agreement accordingly.
3. The transfer of title from the City of Hopkinton to Delaware County Memorial Hospital d/b/a Regional Medical Center shall be a gift conveyed by quit claim deed.

Passed this 9<sup>th</sup> day of October, 2023.

Cathy Harris  
Cathy Harris, Mayor

ATTEST:

Sarah Helle  
Sarah Helle, City Clerk

**AGREEMENT FOR VACATION, DISPOSITION, AND ACQUISITION OF REAL ESTATE**

1. The parties to this real estate transaction are the City of Hopkinton, Iowa (City) and Delaware County Memorial Hospital d/b/a Regional Medical Center (RMC).
2. The real estate to be transferred is legally described as:
  - a. Parcel 2023-67 in Carter's Addition and The East 40 feet of Lots 27, 28, 29 and 30 of Public Square Addition as shown in the Plat of Survey recorded with the Office of the Delaware County Recorder in Book 2023 Page 2414.
  - b. This real estate is subject to a five-foot wide permanent storm sewer easement in Parcel 2023-67 as shown in the Plat of Survey recorded with the Office of the Delaware County Recorder in Book 2023 Page 2414.
3. The City shall gift the above-described realty to RMC by Quit Claim Deed for the public purpose of providing healthcare services to the Hopkinton Community.
4. RMC agrees that it intends to construct facilities upon the above-described realty to serve that public purpose.
5. RMC agrees that the above-described storm sewer easement shall be a permanent easement in favor of the City.
6. Each party shall be responsible for its respective legal fees.
7. Following passage and filing of a Resolution by the City to vacate and dispose of the above-described real estate as described, RMC will be responsible for costs of preparing an abstract and any title opinion rendered on that abstract.

Delaware County Memorial Hospital by:

Danette Kramer

Danette Kramer, CEO Regional Medical Center

10-10-23

Date

City of Hopkinton, Iowa by:

Cathy Harris

Cathy Harris, Mayor

10-9-23

Date

ATTEST:

Sarah Helle

Sarah Helle, City Clerk

10-9-23

Date