

**AGREEMENT TO LOAN ART
OWNED BY THE CITY OF NEWPORT
TO THE OREGON COAST COUNCIL FOR THE ARTS**

Whereas, the City of Newport owns two paintings by Rick Bartow; and

Whereas, the Oregon Coast Council for the Arts at the Newport Visual Arts Center (VAC) wishes to borrow the two Rick Bartow paintings owned by the City of Newport for an upcoming exhibit; and

Whereas, the City of Newport is willing to loan the two paintings to the Newport Visual Arts Center.

This art loan agreement ("Agreement") is entered into between the City of Newport, Oregon, ("City") and the Oregon Coast Council for the Arts/Newport Visual Arts Center ("VAC") for the loan of two paintings, by Rick Bartow, owned by the City, to VAC for an upcoming exhibit. The paintings are titled "Tulip" and "Board."

The City and VAC mutually agree as follows:

Representations and Warranties.

1. The person executing this Agreement on behalf of each party warrants and represents that he/she has the power and authority to execute such agreements.

Insurance.

1. VAC agrees to insure the art under its fine arts insurance policy and name the city as a beneficiary of the insurance for damage to or loss of the art.

Care, Preservation, and Exhibition.

1. VAC agrees to care for the art in the same manner as it does property of its own. VAC agrees to take reasonable precautions to protect the art from fire, theft, damage, water, mishandling, dirt, vermin, pests, and extreme changes in light and humidity. In the event that the art is damaged in any way while in the custody of VAC, VAC agrees that it is solely responsible for providing insurance for such damage.

2. VAC agrees to notify City immediately of any damage that occurs to the art.

3. VAC agrees not to modify or change the art in any way.

4. VAC agrees not to lend, loan, sell, or use as collateral the art.

Attribution.

1. VAC agrees to give credit to the artist as the creator of the art on any publicity materials produced and/or distributed by VAC that displays the art.

2. VAC agrees to give credit to the City of Newport for the loan of the artwork to the VAC for this exhibit.

Duration and Termination.

1. The art will be on loan, by the City to VAC, beginning on 7/5/2016, and ending on 9/6/16.

Miscellaneous.

1. All notices related to this Agreement shall be sent via e-mail to the addresses below:

VAC Tom Webb, OCCA Director, VAC @ twebb@coastarts.org
CITY Spencer R. Nebel, City Manager @ s.nebel@newportoregon.gov

2. Any amendments to this Agreement must be in writing and signed by the City and VAC.

3. This Agreement shall be governed by the laws of the State of Oregon.



Spencer R. Nebel
City Manager
City of Newport

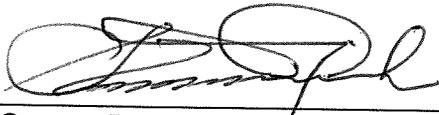


Tom Webb
OCCA Director, VAC

Date: 06-23-16

Date: 6/23/16

APPROVED AS TO FORM:



Steven Rich, City Attorney