COUNTY GOVERNMENT F L O R I D A

Interoffice Memorandum

April 11, 2023

## AGENDA ITEM

TO: Mayor Jerry L. Demings -AND-County Commissioners

THRU: Carla Bell Johnson, AICP, Deputy County Administrator 🚧

- CONTACT: Terry Olson, Administrator Arts and Cultural Affairs Office
- SUBJECT: May 2, 2023 Consent Agenda Item Art in the Chambers Loan and Exhibition Agreement

Three times a year our office borrows art from various institutions and art owners that fit one of the following categories: 1) from major collections in the area, 2) from artists who have lived or worked in Orange County and have a national reputation, or 3) from artists whose work fits a particular theme.

Lance Walker Jr. has agreed to loan a selection from their collection for exhibition from May 22, 2023 through September 15, 2023.

### ACTION REQUESTED:

Approval and execution of Art in the Chambers Loan and Exhibition Agreement by and between Orange County, Florida and Lance Walker Jr. for the period of May 22, 2023 through September 15, 2023.

TO/ls:jamh

Attachment

c. Byron W. Brooks, AICP, County Administrator County Administrator's Office APPROVED BY ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

BCC Mtg. Date: May 02, 2023

#### Art in the Chambers Loan and Exhibition Agreement

This Art in the Chambers Loan and Exhibition Agreement ("Agreement") is made and entered into by and between **Orange County, Florida**, a charter county and political subdivision of the State of Florida ("County") and **Lance Walker Jr.**, ("Lender").

#### WITNESSETH

WHEREAS, the Orange County Arts and Cultural Affairs Office borrows art from various institutions, artists and art collectors for display in the "Art in the Chambers" exhibitions; and

WHEREAS, Lender is the owner of the artwork ("Artwork") listed in Attachment A to this Agreement and desires to loan the Artwork to the County for placement in the Orange County Board of County Commissioners Chambers, located at 201 South Rosalind Avenue, Orlando, Florida; and

WHEREAS, the parties agree to the terms and conditions as set forth in this Agreement.

**NOW THEREFORE** in consideration of the foregoing and covenants hereinafter set forth, it is agreed as follows:

**1. Purpose of Agreement**. Lender, as the sole owner of the Artwork, hereby agrees to loan the Artwork to the County for the period of time specified in Section 2 of this Agreement.

**2. Term.** The term of the Agreement shall commence on Monday, May 22, 2023, and terminate Friday, September 15, 2023.

**3. Lender's Warranties and Representations.** Lender represents and warrants that they a) are the owner of the Artworks and b) have full authority to loan the Artwork and grant the rights provided in the Agreement. Lender further represents and warrants that nothing in the Artwork defames any person or entity, infringes any copyright or otherwise violates the rights of any third party.

**4.** Transportation. Lender shall solely be responsible for packing and transporting the Artwork to and from the Orange County Administration Center, located at 201 South Rosalind Avenue, Orlando, Florida. Lender shall be financially responsible for all costs of transportation.

**5. Care of Artwork**. County will exercise the same precautions for the Artwork as it would for the safekeeping of comparable property of its own. County has the right to execute any emergency preservation measure without Lender's permission if such measure, in the sole discretion of the County, is required to protect the Artwork or other property, or to protect the health and safety of County personnel or the public.

**6. Indemnification.** To the fullest extent permitted by law, Lender will defend, indemnify and hold harmless the County from and against all claims (including claims of copyright infringement), damages, losses and expenses, including reasonable attorneys' fees and costs, arising out of or resulting from the display of the art works as listed in this Agreement.

**7. Security and Risk**. County shall exercise as much care with respect to the Artwork as the County does in safeguarding its own property. Notwithstanding the foregoing, Lender acknowledges and agrees that County will provide no additional security for the Artwork beyond the currently contracted security provided at the Orange County Administration Center. County will insure the Artwork while on exhibit at the Administration Center.

8. Entire Agreement. This Agreement, including its attachments hereto, contains the entire agreement between the Parties with respect to the subject matter, and supersedes all previous communications, representations, understandings, and agreements either oral and written, between the Parties with respect to the subject matter. This Agreement may not be modified or amended except in writing and signed by a duly authorized representative of each Party.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have executed this Agreement of the date and year of the last signature below.



COUNTY:

**ORANGE COUNTY, FLORIDA** 

By: Board of County Commissioners

By: Brunne, Buch

∫₀( Jerry L. Demings Orange County Mayor

Date: May 02, 2023

ATTEST: Phil Diamond, CPA, County Comptroller, as Clerk of the Board of County Commissioners

Jemifer for - Klinetz By:

Deputy Clerk Jennifer Lara-Klimentz

**Printed Name** 

LENDER:

Lance Walker Jr. The Walker Collection of Florida Self-Taught Art 931 N. Pennsylvania Ave, Winter Park FL 32789 Iwalkerjr@walkercc.com (407) 948-2265

Lance Walker Jr.

Date: 3-30-2023

# ATTACHMENT A

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Traveling Exhibition - Orange County FL Art in the Chambers May 23 - September 14,2023 EXHIBIT A

1	Alfred Hair 24 x 36Upson Two Palm Night Surf Beach Insurance Value: \$8,000 164
2	Harold Newton 24 x 30 Upson Cloudy Day Insurance Value: \$9,500 28
3	Harold Newton 24 x 36 Masonite St. Lucie River with yellow sky Insurance Value: \$11,000 206
4	Harold Newton 24 x 36 Masonite River Road Insurance Value: \$13,500 472

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Traveling Exhibition - Orange County FL Art in the Chambers May 23 - September 14, 2023 EXHIBIT A

5	Harold Newton 24 x 36 Masonite Technicolor Backwater Insurance Value: \$16,000 351
6	Harold Newton 24 x 36 Upson Yellow Sky Breaking Wave Insurance Value: \$16,000 549
7	Harold Newton 24 x 36 Upson Poinciana Insurance Value: \$23,000 603
8	Harold Newton 30 x 48 Upson Jumbo jungle intercoastal Scene Insurance Value: \$32,000 280

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Traveling Exhibition - Orange County FL Art in the Chambers May 23 - September 14, 2023 EXHIBIT A



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Traveling Exhibition - Orange County FL Art in the Chambers May 23 - September 14, 2023 EXHIBIT A

13 Sam Newton 24 x 36 Days End Display Insurance Value: \$9,500 29A Sam Newton 14 24 x 30 Upson Moonlit Backwater Palm Island Insurance Value: \$5,000 1292 121.20 WANNAR COPIE 15 Willie Daniels 24 x 36 Yellow Sunset River Jungle Scene 24 Insurance Value: \$4,500 851 16 Willie Daniels 30 x 24 Upson Knarly Oak Sunset Insurance Value: \$12,000 624