

SCULPTURE ON THE LAWN DONATION AGREEMENT

This Sculpture on the Lawn Donation 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 **Dorothy M. Gillespie Foundation**, a nonprofit corporation ("Donor").

WITNESSETH

WHEREAS, the Orange County Arts and Cultural Affairs Office borrows sculptures from various artists for display on the lawn in front of the Orange County Administration Center; and

WHEREAS, on September 10, 2019, the County and Donor entered into an agreement for the loan and exhibition of the sculpture, "Rockefeller Center Sculpture Multi-Colored Totem" (Sculpture) depicted in **Exhibit "A"** to this Agreement; and

WHEREAS, since 2019, the County and Donor have extended this loan to the County several times; and

WHEREAS, most recently, the parties entered into an agreement on December 12, 2023, extending the loan period until January 31, 2029; and

WHEREAS, the Donor now desires to donate the Sculpture to the County.

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

1. **Termination of Current Loan Agreement.** The parties agree to terminate the current "Sculpture on the Lawn Loan and Exhibition Agreement" for the Sculpture entered into on December 12, 2023. The termination shall be effective as of the effective date of this Donation Agreement.
2. **Donation and Acceptance.** The Artist hereby conveys by donation the Sculpture, shown in **Exhibit "A"**, and its legal title, to the County. County hereby accepts the donation of the Sculpture under the terms and conditions set forth in this Agreement. Donor certifies that the Sculpture is not subject to third party claims of royalties, or copyright or trademark infringement. The Donor intends by this donation to relinquish all legal claim of right to title, royalties, copyright or trademark of the Sculpture.
3. **Effective Date.** This Agreement shall become effective upon the date of full execution by both parties.

4. **Removal or Relocation.** County retains the right to relocate or permanently remove the Sculpture from public display for any reason, in the sole discretion of the County.
5. **Indemnification.** Donor shall indemnify and hold harmless the County, its officers, agents and employees from and against any and all claims, demands, suits, actions, liabilities, damages, costs and expenses, including reasonable attorney's fees, arising out of or related to any actual or alleged infringement of any copyright, trademark or other intellection property right of any third-party.
6. **Governing Law and Venue.** The laws of the State of Florida shall govern the interpretation and enforcement of this Agreement. Any and all legal action necessary to enforce the provisions of this Agreement will be held in Orange County, Florida. Venue for any litigation involving this Agreement shall be the Circuit Court in and for Orange County, Florida.
7. **Entire Agreement.** This donation agreement constitutes the entire understanding between the parties and supersedes all previous discussion, understandings and agreements relating to the matters set forth herein.

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

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____

Jerry L. Demings
Orange County Mayor

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

By: _____

Deputy Clerk

DONOR

Dorothy M. Gillespie Foundation

By: Gary G. Isreal

Gary G. Isreal
CEO

Date: July 19, 2025

EXHIBIT "A"
Sculpture on the Lawn Donation Agreement
between
Orange County, Florida
and
Dorothy M. Gillespie Foundation

SCULPTURE

TITLE: Rockefeller Center Sculpture Multi-Colored Totem
ARTIST: Dorothy Gillespie
CREATED: 2003
MATERIALS: Enamel on Aluminum
DIMENSIONS: 8 feet high x 27 inches x 27 inches
RETAIL PRICE: \$15,000
ARTIST EMAIL: Gary.G.Israel@gmail.com
ARTIST PHONE: 845-893-0327