

Donor Contract: Agreement of Original Transfer of Work of Art

Agreement made as of November 15, 2016 ("Effective Date"), between Chen Wanshan (herein after referred to as "the Artist"), located at 5-2502, #8 South Chaoyang Park Road, Chaoyang District, Beijing, China 100026 and SANTA CLARA CITY LIBRARY FOUNDATION AND FRIENDS (herein after referred to as "the Collector"), located at 2635 Homestead Rd Santa Clara, CA 95051, with respect to the donation of an artwork (herein after referred to as "the Work").

WHEREAS, the Artist has created the Work and has full rights, title, and interest therein; and
WHEREAS, the Artist wishes to donate the Work; and
WHEREAS, the Collector has viewed the Work and wishes to accept the donation;
NOW THEREFORE, in condition of the foregoing premises and the mutual obligations, covenants, and conditions hereinafter set forth, and other valuable considerations, the parties hereto agree as follows:

1. Description of the Work. The Artist describes the Work as follows:

Title: The Sky Way Medium: Acrylic on Linen Size: 180 x 200 cm (70.9 x 78.7 in)
Year Created: 2009 Framing or mounting: None Signed by artist: Yes

2. Donate. The Artist hereby agrees to donate the Work to the Collector. Title shall pass to the Collector at such time as this contract is signed.

3. Cost of Installation and Maintenance. The Artist shall bear only the cost of initial installation of the item(s) for public display, including but not limited to: physical anchoring of structures for display and labor.

4. Obligation to Display. The Collector shall display the Work to the public for at least five (5) years from the Effective Date at the predetermined location.

5. Retransfer. For five (5) years from the Effective Date, if the Collector in any way whatsoever sells, gives, or trades the Work, if it is inherited from the Collector, or if a third party pays compensation for its destruction, the Collector (or the representative of his estate) must notify the artist within thirty (30) days of such transfer.

6. Copyright and Reproduction. The Artist reserves all reproduction rights, including the right to claim statutory copyright, in the Work. The Work may not be reproduced in any manner without the express, written consent of the Artist.

7. Miscellany. This Agreement constitutes the entire understanding between the parties. Its terms can be modified only by an instrument in writing signed by both parties. A waiver of any breach of any of the provisions of the Agreement shall not be construed as a continuing waiver of other breaches of the same or other provisions hereof. This Agreement shall be governed by the laws of the State of California.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement as of the date set forth above.

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COLLECTOR'S SIGNATURE Sadika Chummalala

DATE: 11/15/16

ARTIST'S SIGNATURE Chen nanshan

DATE: 11/25/2016