

## A G E N D A



## Recommendation for Council Action

Austin City Council	Item ID	19216	Agenda Number	29.
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Meeting Date:	10/11/2012	Department:	Parks and Recreation
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## Subject

Approve a resolution authorizing negotiation and execution of an amendment to the warranty deed conveying certain Umlauf sculptures to the City, and other necessary documents in order to dispose of City property and acquire ownership of an alternate sculpture piece.

## Amount and Source of Funding

## Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

Purchasing Language:	
Prior Council Action:	April 9, 1985 - Council accepted the gift of the Umlauf property and sculptures.
For More Information:	Laura Esparza, 974-4001; April Thedford, 974-6716
Boards and Commission Action:	
MBE / WBE:	
Related Items:	

## Additional Backup Information

In 1985, the City received a gift of real property and sculptures from Charles and Angeline Umlauf, commonly known as the Umlauf Sculpture Garden and Museum. The real property and sculptures are identified in two deeds to the City, and it has recently been discovered a sculpture titled "Madonna and Child" (1960) is no longer in the City's inventory. A substitute sculpture titled "Maria Regina" (1985) has been offered as a substitute piece. "Maria Regina" (1985) is a larger, more valuable sculpture of a later period of productivity that is a unique casting supervised by Charles Umlauf himself. The Maria Regina (1985) piece will provide the public a richer understanding of the sculptor's life and work when it is publicly displayed at the Umlauf residence once the property has been readied and opened to museum visitors in the future. "Maria Regina" (1985) will be the largest piece of sculpture displayed at the Umlauf Museum giving the public an insight into the variations of scale in work by the sculptor. Because this benefits the citizens of Austin, it is recommended Council agrees to relinquish ownership of "Madonna and Child" (1960) as public property of the City of Austin, and accept the "Maria Regina" sculpture as a substitute sculpture.

Council's acceptance and authorization of this amendment to the Warranty Deed and Gift to the City by Charles and Angeline Umlauf in 1985 would be subject to the completion of the following conditions:

1. Written documentation is received from the Austin Community Foundation stating that the Foundation finds the exchange of sculpture acceptable and meeting the terms of the gift, and waiving any claim or rights under the deed they may have.
2. The Umlauf heirs will provide written evidence of proof of ownership of "Maria Regina" (1985) sculpture, providing their legal authority to convey it to the City and indemnifying the City, and signing any necessary documents to effectuate the title transfer.
3. The deed will be amended to be recorded in the Travis County real property records.