

**GIFT AGREEMENT
BETWEEN THE CORPORATION OF THE TOWN OF TECUMSEH,
ONTARIO,
AND GUY R. GREVE**

This agreement ("agreement") is entered into between the corporation of the Town of Tecumseh, Ontario ("town"), of 917 Lesperance Road, Tecumseh, Ontario, Canada N8N 1W9, and Guy R. Greve ("donor"), of 2300 Nurmi Drive, Bay City, Michigan 48708.

Whereas, the donor owns a bronze bust sculpture of Chief Tecumseh for whom the town was named and wishes to make a donation of the sculpture ("the sculpture") to the town; and,

Whereas the town wishes to accept the sculpture for permanent display; and,

Whereas the parties wish to memorialize the terms of their agreement;

NOW THEREFORE, the parties agree as follows:

1. **Sculpture.** The subject sculpture is cast in bronze metal, 9½" in height, of Shawnee Chief Tecumseh (1768 - 1813), for whom the town of Tecumseh is named.
2. **Artist.** The artist is Marguerita P. "Rita" Greve. Born Marguerita Phillipa Colthurst on February 14, 1915, in Saskatoon, Saskatchewan, and raised in Riverside, Ontario, the daughter of Windsor architect, Guy Buller-Colthurst, and Beatrice Turner Colthurst. She died July 7, 2010, in Bay City, Michigan. She was a well-known mid-Michigan artist in multiple mediums, primarily sculpture. She is the donor's mother.
3. **Donor.** The donor is Guy R. Greve, owner of the sculpture, joined in the donation by his brother, Lucius Richard "Ric" Greve, sons of the artist.
4. **Financial cost.** The casting of the sculpture is being donated by the donor and his brother at no cost to the town. The town, however, shall be solely responsible for the cost of materials and labor for installation and permanent display of the sculpture such as a pedestal, stand, nook, lighting or other expenses of display, including signage and artist recognition.
5. **Ownership.** The donated casting will be the sole permanent property of the town with no right to the physical donated casting being reserved by the donor.
6. **Donor's reservation of rights.** The donor, his heirs and assigns, shall retain the copyright, trademark, creative and intellectual property rights, and exclusive sculptural reproduction rights of the sculpture, including the exclusive right to make and retain

reproductions of the sculpture in its original, smaller or enlarged size and the right to market and sell copies of the sculpture in its original size or smaller or enlarged copies.

7. **Display.** The town shall have the exclusive right to determine where and how the sculpture is displayed, but agrees it shall be displayed in a prominent and visible public location within the town of Tecumseh, its town hall, sports complex arena, library, park, or similar public location.

8. **Maintenance.** It is recommended, though not part of any contractual agreement, that if the sculpture is maintained in an outdoor space, that it be protected with a wax or similar treatment applied by an artist or other professional at least once every two years to preserve and protect the original patina. The cost of re-doing the patina will be the expense of the town, but the donor will assist as able in having it re-patinaed, if necessary, by the foundry that made the original casting.


9. **Promotional rights.** Donor grants the town unrestricted perpetual worldwide rights to reproduce images or likenesses of the sculpture for any lawful purposes to promote the town, its history, economic development, tourism, community events, and similar community purposes without limitation, including to granting agencies and financial contributors from any potential donors, commerce, residents or others.


10. **Acceptance.** It is understood that this agreement becomes effective upon signing by the parties and is subject to the approval of the governing board of the town.

11. **Dedication.** The town agrees to have a dedication ceremony open to the public, which may coincide with or be separate from the dedication of the remodeling of the town hall, the opening of the sports complex, or any other such facility, plaza, courtyard or the like where the sculpture will be on display.

12. **Recognition.** The town agrees to give appropriate recognition to the artist, crediting her as the artist in all printed or digitized reproductions of the sculpture to the extent reasonable, and that a plaque or similar recognition shall be placed in close proximity with a brief biography of the artist.

Donors:


Guy R. Greve


Lucius R. Greve

Town of Tecumseh:

Gary McNamara, Mayor

Laura Moy
Director Corporate Services & Clerk