



June 1, 2016

To: The Board of Governors of Exhibition Place

ACTION REQUIRED

From: Dianne Young, Chief Executive Officer

Subject: **Transfer & Sale Agreement of Artwork – Ron Satok**

Summary:

This report recommends the transfer of three original paintings from Ron Satok to Exhibition Place by Ron Satok as shown in Schedule “A” to Appendix “A” pursuant to the terms and conditions of the Transfer & Sale Agreement as set out in Appendix “A”.

Recommendation:

It is recommended that the Board approve the transfer and sale of three original paintings (1) “The Pass”; (2) “Within Sumo Circle” (1969); and (3) “Japan – First Impressions”, by Mr. Ron Satok and enter into an Agreement with Mr. Satok based on the substantial terms and conditions outlined in Appendix “A” to this report, and any other conditions that may be required by the Chief Executive Officer and City Solicitor.

Financial Impact:

There are no negative financial implications to this report. An appraisal of these pieces of art has indicated an estimated valuation of \$13,000.00.

Decision History:

The Exhibition Place 2014 – 2016 Strategic Plan had a Public Space and Infrastructure Goal to *establish Exhibition Place as a destination and gathering place for the community, and as a strategy to support this goal we will in partnership with the private sector, enhance public amenities to service our patrons and local community visitors*

Issue Background:

On April 13, 2016, Exhibition Place was approached by Mr. Ron Satok who offered to transfer three of his paintings to Exhibition Place. Mr. Satok has two other significant works at Exhibition Place: the “Artist’s Eye” near the north entrance to the Better Living Centre and “Face Off” inside the west entrance to BMO Field. With the acceptance of these additional pieces, Exhibition Place will be able to promote the work of this significant Toronto artist.

Comments:

Mr. Satok is an internationally known artist who was born in Simcoe, Ontario in 1932. He has lived in over ten different countries around the world but now makes Toronto his home. Mr. Satok studied at the Banff School of Fine Arts and the Ontario College of Art in Toronto as well as at Columbia University in New York City and the University of Guanajato in Mexico. He works in various media and his art can be found in museums and galleries in Canada, the United States, Great Britain, Japan, and Israel. He has also lectured in art and operated a school of art in Toronto for many years.

Given the history of Exhibition Place and its current paintings, sculptures and other artifacts, the three paintings by Ron Satok will certainly enhance the Satok collection on the Exhibition Place site and also add to the other art collections held by Exhibition Place. The intent would display the two larger paintings ("The Pass" and "Within Sumo Circle") within the Enercare Centre as both are large format paintings protected by glass.

The terms and conditions of the transfer and sale agreement are set out in Appendix "A".

Contact:

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Appendix "A"
Substantial Terms and Conditions of the Transfer & Sale Agreement

- (a) Satok represents to the Board that it is the creator and owner of the Paintings with the full right and authority to enter into this Agreement, no other person possesses any rights or claims with respect to ownership, including copyright, with respect to the Paintings, and that it hereby releases and indemnifies the Board with respect to any claim which may be made by any person.
- (b) Satok will transfer to the Board, those three (3) Paintings more specifically described in Schedule "A" to this Agreement for the sum of Two Dollars. The Board shall display the Paintings, at its sole cost, in a location within Exhibition Place as determined by the Board, in its sole discretion, from time to time.
- (c) The ownership of the Paintings shall, after the date of this Agreement, rest with the Board and all right, title and interest of Satok in the Paintings shall be deemed to have been transferred and assigned to the Board.
- (d) Satok irrevocably assigns and transfers to the Board all copyright in the Paintings to the full extent that the Donor is the owner of such copyright and hereby waives all moral rights the Donor has in the Paintings.
- (e) The Board may, in its sole discretion, relocate the Paintings within Exhibition Place from time to time, or remove and store the Paintings at such location(s) as it may deem appropriate.
- (f) The Board shall maintain the Paintings as required from time to time by the Board, in its sole discretion and as part of its art conservation program.
- (g) The Board will:
 - a. Provide all necessary insurance coverage for the Paintings;
 - b. Take reasonable precautions to protect the Paintings from damage;
 - c. To inspect the Paintings for signs of deterioration and/or damage and inform Satok from time to time if any such signs are detected and allow Satok the opportunity, at Satok's sole expense, to undertake maintenance of the Paintings, if Satok so chooses that is above and beyond the basic maintenance/conservation the Board would undertake pursuant to its art conservation program;
 - d. Allow representatives of Satok at his own expense, access to the Paintings at all reasonable times in order to inspect the Paintings; and,
 - e. Permit Satok, subject to the approval of the Board, acting reasonably, to attach a plaque to each of the Paintings identifying Satok's art contribution at Exhibition Place.
- (h) In the event the Board determines at any point in time to sell the Paintings, the Board shall, prior to offering the Paintings for sale, offer to transfer ownership of the Paintings back to Satok or his representative, for nominal consideration.
- (i) Neither Satok or the Board shall be permitted to assign its rights under this Agreement, without the prior written consent of the other party, which consent may not be unreasonably withheld.

Schedule "A" to Appendix "A"

1. "The Pass" 1973 Toronto - Triptych, Charcoal and Pastel on Kumohada paper, 84" x 100". Conveying a relay race and the passing of the baton. The head of the runner is in the middle as the arms encircle the perimeter.



2. "Within the Sumo Circle" 1969 (Kyoto) and 1970 (New York City) - Charcoal and Pastel Painting on Kumohada paper, 60" x 83". The whole performance is in a sense like a proclamation of Bushido, the highest honour that the Samaria (and Sumo) warrior can achieve because it shows they are real men who would not stoop to low blows.



3. "Japan – First Impressions" part of the Septology Portfolio, c. 1969 (New York City) - Colour lithograph on paper, 29" x 22.5," signed and numbered (31/125) in pencil. The Septology Portfolio was executed during Satok's two years abroad in his studios at Kagoshima and Kyoto (Japan) and London (England). First shown at the In Circle Gallery, New York City, 1971-1972.

