



# Exhibition Place

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## Item No. 15

April 7, 2015

To: The Board of Governors of Exhibition Place

**ACTION REQUIRED**

From: Dianne Young, Chief Executive Officer

Subject: **Garden of the Greek Gods - Additional Information**

### Summary:

This report provides further information as requested by the Board with respect to the Garden of the Greek Gods sculptures ("Greek Gods").

### Recommendations:

**It is recommended that the Board:**

- 1) enter into an agreement with Trevor Gillingwater, Conservation Services Inc. in the amount not exceeding \$55,000 to complete the urgent repairs to the Greek Gods in 2015; and,**
- 2) provide notice to the Muzik tenant of its responsibility for the costs associated with the proper cleaning of each sculpture; repairs to any damage caused by the tenant; and arrangements that must be taken to protect the Greek Gods against further damage as itemized by Trevor Gillingwater, Conservation Services Inc. as part the work outlined in Recommendation No. 1.**

### Financial Impact:

The cost of the SOGR repairs to be undertaken in 2015 is a pressure to the 2015 Operating Budget. Funding has been found within the 2015 Consultant budget, the underexpenditure within the Corporate Secretary budget and charge back of costs to the tenant.

### Decision History:

At its meeting of April 25, 2003, the Board approved of the terms of the Lease with Muzik which was subsequently approved by City Council at its meeting of June 24, 25, and 26, 2003.

At its meeting of June 20, 2008, the Board approved the 2008 Memorandum of Understanding (MOU), between the Board and CNEA which MOU provided for the purchase at fair market value of three artifacts that were owned by the CNEA: Haines Murals; the Greek Gods; and the Satok Mural.

At its meeting of April 23, 2010, the Board approved the purchase of the Greek Gods from the CNEA at a value of \$500,000.

At its meeting of January 27, 2012, the Board approved of a Master Agreement with the CNEA and City of Toronto which agreement resulted in the independence of the CNEA from the Board and City with a term commencing April 1, 2013.

At its meeting of May 23, 2014, the Board approved a Member Motion brought by Councillor Layton which recommended that the CEO, with relevant City staff, report to the Board on several matters related to the Garden of the Greek Gods sculptures.

At its meeting of June 25, 2014, the Board approved recommendations / motions with respect to the development of a policy related to Exhibition Place Collections; access to, relocation of and determining the condition of the Greek Gods.

At its meeting of September 10, 2014, the Board considered an information report received the report and adopted the following motion:

- 1) Establish a working group to evaluate options for the relocation of the Garden of the Greek Gods sculptures on the Exhibition Place grounds including any landscaping required, including members of the E.B. Cox family, any experts required, and appropriate Exhibition Place and City staff;
- 2) Exhibition Place staff enter into appropriate discussions with any tenants impacted by the relocation of the sculptures;
- 3) Evaluate any necessary steps to take to immediately protect the sculptures for the winter, including storage indoors;
- 4) Evaluate any legal implications relating to the sculptures, the lease agreements, and copyright laws;
- 5) Prepare as part of the 2015 capital budget submission, a request for funds to move the sculptures, including any parks levy monies available in proximity to the site, for submission to the Board; and
- 6) Report back to the Board at its October meeting.

At its meeting of December 1, 2014, the Board considered Agenda Item No. 12 dated October 16, 2014 from the City Solicitor, which report outlined copyright and lease arrangement issues with respect to the sculptures known as the Garden of the Greek Gods.

#### Issue Background:

The Board requested that Exhibition Place take several actions with respect to the Greek Gods and this is an information report updating the Board on those actions to date.

#### Comments:

##### Working Group

As directed by the Board, Exhibition Place has formed a Working Group which has as its main purpose achieving the relocation of the Greek Gods. Attached as Appendix "A" to this report are the Terms of Reference that the Working Group has developed and approved and outlines the Membership, General Purpose, Specific Directions / Tasks, Timeline, Meetings, Reporting / Recommendations and Communications. The Working Group has now met three times and will continue to meet on a monthly basis.

One of the most significant tasks that the Working Group has undertaken is the development of a ranking tool / matrix to use to rank possible locations for the new home of the Greek Gods. Criterion listed on this matrix include: Accessibility; Site Suitability; Security of Site; Relocation Costs; Ongoing Care and Maintenance Issues; and Acceptance of Site Owner. The Working Group, individually and as a group, will now proceed to rank several possible locations using the Tool to develop a short list of three to five locations. Once the list is narrowed, a more detailed reviewed of the short-listed sites will be undertaken including possible site visits and discussions with site owners / managers if the site is outside Exhibition Place. It is anticipated that this process will be completed by Summer 2015.

## Final Report of the Stone Conservator

Attached as Appendix B is the final report of Trevor Gillingwater, Conservation Services Inc. outlining the condition of the Greek Gods; repairs to be completed; a list of site criterion to consider in any relocation; and the cost of relocation.

The SOGR recommendations in the report span 8 years and the total cost of repairs if done in situ is \$97,800 of which \$49,200 are considered to be urgent. Given the urgency and the time requirement to complete, it is recommended that the Board engage Trevor Gillingwater Conservation Services Inc. to immediately undertake these repairs in May 2015 specifically as set out in Appendix C to this report and give notice as soon as possible to the Muzik tenant about this upcoming work to be performed in situ.

The total cost of relocation of the sculptures (somewhere within the Exhibition Place site) is estimated by the Stone Conservator to be approximately \$450,500 (including contingency) which includes craning the sculptures from the present location, protection of the sculptures for travel, construction of appropriate bases in the new location and then mounting the sculptures on the bases. Not included in this price is any costs related to the restoration of the Muzik patio because of this removal. Exhibition Place staff will be exploring options for funding this relocation costs in the 2016 capital or operating budgets and reporting back to the Board. The report also sets out criterion for choosing a site and the design of the mounting bases, both of which will be considered by the Working Group.

## Cleaning of the Greek Gods

At its meeting of September 10, 2014, a deputation was received by the Board on removal of the patina that coated the sculptures by aggressive cleaning. While the tenant, in writing, has indicated that neither the tenants, nor its employees or contractors, have cleaned the sculptures at all (see Appendix D), the Gillingwater Report comes to a different conclusion as follows:

“Many of the sculptures display recently cleaned surfaces. This is evidenced by apparently bright surfaces despite historic photo documentations showing them to be quite darkened by atmospheric direct (presumed to be deposited organic dirt from tree and biofilms such as algae). At the bases of many sculptures it is possible to see the traces of this former dark surface where ground cover or mulch protected the dirt removal during a pressure washing clean-up. The direct lines at grade are juxtaposed with the cleaned surfaces by the angular lineal geometry created by the power washing wand nozzle.”

The Report also states that “the method used to clean the limestone sculpture to date would appear to be exclusively by high pressure washing” which is not the recommended method of cleaning.

Given that the sculptures have been completely within the control of the tenant, only the tenant or a third party under the control of the tenant could have done this aggressive power washing. The damage to the sculptures by this washing cannot be repaired. However, as a consequence of the power washing of only some of the sculptures and then only partially, the Stone Conservator is recommending that each sculpture now be properly cleaned by an expert. The cost of this cleaning to correct the damage done by the tenant would be the responsibility of the tenant and accordingly notice will be given to the tenant of this direction and costs along with the cost of repairing any other damage to the sculptures that the Gillingwater Report has highlighted as recent occurrences.

## Lease Amendment

As indicated in previous reports, an amendment agreed to by both parties to the lease would be required before the sculptures could be removed and relocated. Exhibition Place staff have had preliminary meetings with the tenant and his legal counsel and the tenant has indicated that it would be willing to negotiate an amendment to the lease which would include the removal of all the sculptures from the leased property. Negotiations will be proceeding and any amendments will require the approval of both the Board and City Council.

### Contact:

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## Appendix A Working Group - Terms of Reference

### Membership:

#### **EB Cox Family**

Kathy Sutton  
Ed Conroy

### Exhibition Place Staff

Dianne Young, CEO  
Fatima Scagnol, Corporate Secretary  
Linda Cobon, Manager/Records & Archives  
Audrey Borges, Records Analyst

#### **City of Toronto**

Larry Ostola, Director/Museums & Heritage Services-City

#### **Stone Conservator**

Trevor Gillingwater

### General Purpose:

The purpose of the Working Group is to ensure that the collection of sculptures known as the Garden of the Greek Gods is moved to a suitable and permanent location accessible to the public.

### Specific Directions / Tasks to be Undertaken:

1. Develop a list of criteria for any new site.
2. Develop a list of possible sites.
3. Assess each site against the criteria with the aim of determining no more than three preferred sites.
4. At least one of the preferred sites must be somewhere on the Exhibition Place grounds.
5. Seek input on artistic placement of the sculptures.
6. Physical conditions for placement / relocation will be in conformity with the recommendations of stone conservator.
7. Work with Exhibition Place and any outside parties (landscapers, etc.) in relocating the sculptures to their new location.
8. Any outcomes from this Working Group be considered in the development of the Exhibition Place's Public Art Policy.
9. Review that the condition, protection, and treatment of the sculpture is monitored on a regular basis until it is moved.
10. Review that those sculptures most at risk of further damage are relocated for repair and/or protected, in accordance with the recommendations of the stone conservator.
11. Review the Exhibition Place monitoring reports of the sculptures.
12. Review the repair plan and ongoing repairs undertaken in accordance with the recommendations of the stone conservator that address any sculptures at risk.

### Timeline for Working Group:

The Working Group will cease to exist after the sculptures are relocated.

### Meetings

The Working Group will be chaired by the CEO of Exhibition Place. Meetings will be scheduled in advance every 4 to 6 weeks depending on the majority of members availability. Members may attend in person or by teleconference.

Reporting of Recommendations:

Any and all reports going forward to the Board of Governors will be prepared by the Exhibition Place Corporate Secretary or Chief Executive Officer and go to the Board on an as needed basis. Any considerations and recommendations of the Working Group will also be reflected in the staff reports.

Communications:

All communications / emails from any members of the Working Group are to be directed and sent to the Exhibition Place Corporate Secretary at [FScagnol@explace.on.ca](mailto:FScagnol@explace.on.ca) who will distribute to all members of the Working Group.

An agenda for each meeting will be circulated in advance. Minutes of each meeting will be produced and be circulated to the Working Group for comment.

Appendix B  
Trevor Gillingwater, Conservation Services Inc.  
Report Dated February 2015

## 1.0 Mandate

I was provided with a contract in December 2014, the mandate of which was to evaluate the condition of each of the 20 EB Cox Greek God statues (plus 1 marker stone) that are presently situated within the fenced property of the Horticultural Building, Exhibition Place. To that end, the report contains photo mark-ups of each statue, such that specific conditions affecting pictured statues can be detailed.

The mandate requests that a distinction be made between deterioration by natural chemical responses to the environment, and those related to damage caused by person interaction such as construction or other pedestrian interaction. This is commented on, wherever it is possible to determine. Obviously, many abrasions will be the result of people and possible equipment traffic.

Further, we include in our mandate a description of repairs required for each statue and level of urgency that is best felt to insure loss due to mechanical or chemical processes would be arrested. The costs associated with completing the recommended work are also provided. A work plan is provided for moving the sculptures to a new location, including a discussion on the environment and as-built detailing that should be considered for such relocation, including fixed positioning in relation to stable footing and the costs that would be associated with this level of work.

Recommendations are provided for caring for the statues in the present location, and recommendations are made for a long term maintenance program for the statues. An earlier mandate, completed in late December was the construction and installation of hard boxes for 5 of the most vulnerable statues during winter conditions of snow and frost. I think everyone can now agree that those efforts were timely, given the extremes of winter weather we are just now beginning to see the end of.

## 2.0 Documents providing our background for this report include the following:

- Book: E. B. Cox, A Life in Sculpture, 1999.
- Report: *Restoration of the Statues from the Garden of the Greek Gods and the Electrical Building, Exhibition Place, Toronto*. Willings and Associates Ltd, 1989.
- Budget and condition report: *Budget for Repairs to Statues Garden of Greek Gods, Exhibition Place, Toronto*. Willings and Associates Ltd, 1989.
- Construction documents: Tender drawings of base constructions at present locations, including Specification sections 1) Description of Work; and 2) Stone and Precast Concrete. All are understood to have been provided by Willings and Associates Ltd in 1990, and are the basis for understanding the work that was completed to move the statues to their present location south of Muzik.
- Condition records in matrix chart form carried out by Archive personal of Exhibition Place, 2004 to 2013, including a matrix condition assessment of all 20 statues, 2014, with recommendations by Barry Briggs, Conservator.
- Construction photos: taken during the early Spring 2014 construction of the present terrace, swimming pools and perimeter fence.

### 3.0 Background

The statues were originally sculpted for natural wooded setting as is evidenced by the earliest photos documenting their placement along wooded pathways in the north country of Ontario. EB Cox had the right sense for the mythic personalities he created, for nature and the gods were of inseparable make-ups to the ancient Greeks of the 5<sup>th</sup> century BC. In this sense, EB Cox was both highly informed and inspired in the scale of his work to sculpt from solid blocks of limestone these mythic personalities.

Their move into downtown Toronto for permanent display will have been a compromise to his original vision of having nature's inimitable backdrop as the setting for the gods. The move will have began a quickened pace of damage caused by handling, transporting and moving. The effects are present on many of the statues, though when and how each type of damage occurred, and subsequently repaired, is not clearly known.

The documents we have reviewed to gain an historical review of these sculpture suggest that concern for finding a permanent exhibit space that fully considered the complexity of their size within a public space that would benefit their intended audience of a general public, including eager climbing children, has not been successfully realized. Given the poor condition of several of these statues, continued lost of detailing because of environment and person contact vulnerabilities, it must be said that some efforts must be made in the very near future to properly insure the proper preservation of these sculptures.

It is understood that the statues are presently pinned to concrete slabs that are supported on concrete formed tubes (Sonotubes). This work was carried out in 1989/90. The present terrace was constructed and the perimeter black steel fence was installed. In this process, openings were included around the majority of statues, such that an infill field of silica sand or mulch surrounds the bases apparently to provide adequate drainage and buffering from precipitation and people interaction.

### 4.0 Description of limestone used for the sculptures

It was interesting to learn during background researching, that E. B. Cox had applied for a grant to finance his research into Canadian stones that would be suitable for sculpture. He did not receive that financial support, but it would be interesting to know how far he pursued the subject on his own time. What is perhaps not surprising is that he chose Indiana Limestone for his large sculpture works. Indiana

Limestone was the most widely marketed ornamental building stone of his generation. Large dimensioned blocks and an inexhaustive supply of quarry material has made this limestone the most reliable North American building stone of the 20<sup>th</sup> century. The historic quarries that provided similar dimension and reliability had gone quiet and grown over after the First and Second World War in North America, and only those of exceptional quality and reliability of content and low cost like Indiana continued to be produced. Canada will have had nothing of equal quality or availability during the period of the 1950's to 1970's when EB Cox was most active with large dimension stone sculpting.

Indiana will have provided everything for a sculptor's needs of a sedimentary stone for sculpture use. It is mostly homogeneous in grain, and it is considered to be a "free stone". This old fashioned masonry term refers to the stone's ability to be carved equally in all directions, despite it being a sedimentary stone. Of course it does retain a bedding direction, but it does have very good response to the sculptors need to cut it in all possible directions.

To create his Greek Gods in the sizes he envisioned, Cox understood that he needed to turn each block perpendicular to its natural sedimentary bedding direction, such that the bedding planes run vertically and along the long dimension of his compositions. One can observe how Cox determined the width his compositions by taking into account the maximum height of the



block he was starting with. This means that he often used the bottom portion of his block where the transition in the quarry of lower poor stone to best material at the rear of his sculpture. There are issues on several of his large pieces such as Pan and Triton whereby the rear side in which he included a portion of the poorer start zone of his block is often open grained and displaying poorer preservation. It was obviously his interest to maximize block dimension within for the composition he was aiming for. It should be mentioned that the vertical bed orientation of his block has also lead to some weaknesses in the stone over time.

Both issues of bedding and stone quality will be discussed where relevant within the condition discussion of the individual sculptures.

Chemically, the limestone is composed of ancient marine fossil organisms, deposited in once deep seas. The composition is overwhelmingly of calcium carbonate. The fossil detritus is readily observable under low lens magnification. Calcium carbonate is vulnerable to slow dissolving in low pH solutions such as “acid rain” which is produced by industry and vehicle emissions. Calcium carbonate is also relatively soft in the geologic hardness scale such that it is vulnerable to attrition when washed under high pressure water equipment. The rough texture observed on the sculpture and the softening of chisel tool marks (of which Cox was known to be interested in featuring on his finished surfaces, and readily observed in early photos) suggest both chemical and pressure wash attrition has taken place to the sculpted surfaces.

## **5.0 General and shared issues affecting condition:**

Before the detailed description of the condition and recommendation for each individual sculpture, I provide the following preamble such that some generally similar issues are shared by all the sculpture. As such these can be assumed to apply to all and therefore not require repetitive restating under the condition/recommendations for each sculpture.

### **.1 Issues of upward or rising damp from the ground.**

It is unlikely that the drainage using silica sand around the sculpture bases on the terrace is as positive as was planned for. The soil below is compacted and the few inches of white sand can only offer superficial drainage at best. In effect the opening in the pavement around each of the terrace-placed sculptures does act to a certain degree like a water basin. Rising damp from the ground, up through the concrete is active. In some cases, the ground is in active contact with the statues. The Hercules statue is the best example of how ineffective this sand filled basin approach is. The statue is surround by terracing that will be directing run-off directly into the stature opening. A good measure of the statues bottom leg/feet portions are buried in the ground, and the rising tide line from damp is very marked for at least 12 inches above the ground. Efflorescence from ground salts (nitrogen) and general damp staining is present. Given the vertical orientation of the limestone bedding, the capillary draw of ground based moisture is able to rise much easier that if the stone was placed in natural bedding orientation.

Similarly, the statues setting in mulch or wood chip ground covering, such as the Aphrodite sculpture, are directly affected by rising damp and salts associated with the ground and mulch decomposition.

The statues are understood to be sitting and fixed directly on concrete bases built to support and attach them. By all indications, a membrane separating the concrete from the stone is not present. Such a horizontal membrane, however, should be in place to separate the limestone from the ground and concrete. Concrete contains soluble alkali salts, such that rising damp from the presently built conditions will be contributing unnecessarily to the deterioration of the lower zones of the sculpture. The high absorption and moisture retention of Indiana limestone does make it susceptible to base deterioration where salts are present, as can be witnessed at many an historic building entrance way where deicing salts are spread.

## .2 High pressure washing attrition

Many of the sculptures display recently cleaned surfaces. This is evidenced by apparently bright surfaces despite historic photo documentations showing them to be quite darkened by atmospheric dirt (presumed to be deposited organic dirt from tree and biofilms such as algae).

At the bases of many sculptures it is possible to see the traces of this former dark surface where ground cover or mulch protected the dirt removal during a pressure washing clean-up. The dirt lines at grade are juxtaposed with the cleaned surfaces by the angular lineal geometry created by the power washing wand nozzle.

Cleaning stones in the exterior environment is a subjective issue. There are arguments for cleaning and arguments against. Just the same, conservation cleaning of outdoor sculpture throughout the world, is regularly carried out as part of good maintenance. I give as an example, the Luxembourg Gardens in Paris where a great number of marble sculptures are placed upon pedestals throughout the formal walks. Similar to many such parklands, there is a maintenance crew of conservators who maintain the darkening caused by tree canopies and biofilm (algae) which settle on the surface. The maintenance is seen as a necessary procedure to control algae blooms as they can have a negative affect on the calcium carbonate composition of the marble (same chemistry as the EB Cox statues).

Given this, and also on account of the present situation of many statues having been cleaned juxtaposed with those that have not, as well as recognizing that those that have been cleaned are without consistency or completeness, this report follows a general recommendation to clean each sculpture.

The method used to clean the limestone sculpture to date would appear to be exclusively by high pressure washing. Beyond a pressure of 800 psi (which is considered the border between low pressure and medium) is considered beyond what Indiana limestone can tolerate without causing attrition to the relatively soft mineral matrix of the limestone. It is rare for most the pressure wash equipment to deliver under 2000psi, and contractors are often equipped for pressures in the range of 3500 psi. It is likely, given the loss of tool marks observed on many of the cleaned sculptures that high pressures were the process of cleaning them.

Low pressure wash cleaning needs to be used in conjunction with informed chemical cleaning that in the alkali pH range. Water alone will actually solubilize grime and algae, but set up and the long period of the soaking process would not be practical in this situation.

We have not been able confirm that an acid or an alkali cleaner has been used in the recent cleaning works. The pH of several surfaces tests in the field, suggest the surfaces are close to pH neutral.

## .3 Geologic shortcomings

As mentioned under my description of the limestone above, several of the sculptures have issues of damage and/or deterioration related to geologic qualities along certain zones of the block from which EB Cox composed his sculpture. He used the portion of poorer quality underling stone, which represents the transition with the actual best limestone material. This is normal when gaining large rough (unsawn) blocks as he was purchasing. He always appears to have put that transition zone of his carving at the rear side of the sculpture. The transition zone is characterized by being coarse textured material of varying shelly consistency and it also contains open voiding and marked fissuring, and other geologic markings of interest that would normally be selected out of the block (i.e. sawn out and discarded). That Cox decided to retain and use this zone, presumably for reasons of maximizing the sculpture dimensions block (max. size and economy), inherent flaws are often observed within the material. This problem has played itself out in two ways. The first is that the zones can display early onset deterioration in the form of fissuring. Second, where the zone is very sub-quality and perhaps should have been

removed, there is evidence of active loss and, in some cases, complete loss has occurred. This latter is interesting, because the loss has since been restored with a cast in repair (refer to the Centaur). These old and major repairs were given specified material and procedural descriptions in the 1990 Specification, section 03350 (prepared by Willings and Associates Ltd.?).

## **6.0 Condition assessment of each sculpture with recommendations for repair\*, judgement of urgency\*\*, costs and timeline for completing each cost item\*\*\***

(\* Repair refers to issues of physical deterioration or damage of a sculpture, which by mechanical consolidation and cosmetic compatibility, will insure the detail is not lost or further deteriorated.

\*\* Urgency of work is based on three levels: High (immediate intervention required); moderate (within 3 years); low (within 6-8 years).

\*\*\* All work must be assumed to take place during favourable season period of moderate to warm weather. Assume for a period between mid-April to mid-October.

Three costs are provided (taxes excluded):

Cost no. 1: assumes that conservation maintenance repair work will be completed in place behind a fence, with water and electric supplied from the building, and carried out during normal workday and weekend time. Foundation corrections are not included. Prices given are based on all 21 sculptures being completed within one mandate and one scheduled period of time.

Timeline: If all 21 sculptures are completed at same time, approximately 25 days are needed, which includes start-up, mobilizing, complete conservation work, demobilize.

If only done on a one-by-one basis, then approximately 2 or three days average for each sculpture should be planned for. Mobilizing and demobilizing on an individual basis would not be economical.

Cost no. 2: reflects the cost to remove the sculpture from its position (requiring sawing, crating, transporting) to a secured workshop in Toronto where the necessary recommendations will be made. Price assumes corrections made to existing foundation. The sculpture returned and set on top of improved foundations. Cost No. 1 repairs are included. A contingency for repairs for any damage that may take place during handling/move, or base adjustments needed to fit foundation are shown. (Note: it is understood that a fork-lift cannot be used or given access for lifting statues from present location. Crane lifting is not included because of prohibitive cost per day for use on a per statue basis only. It is therefore suggested that a contingency of \$35,000 be used to cover all crane lifting costs).

Timeline: All sculptures are assumed to done at the same time, for which an approximate 10 week period of time should be planned for.

Cost no. 3: includes the reinstatement to a location within the Exhibition Place acreage and includes the price for removal by saw cutting to remove from existing footing, trucking to new location and installing on a fully footed foundation to 4.5 feet below grade. A 6ml lead cover damp-proof membrane is included for topping each statue foundation. Cost No. 1 repairs are included. A contingency for repairs for any damage that may take place during handling/move, or base adjustments needed to fit foundation are shown. (Note: Crane lifting is not included because of prohibitive cost per day for use on a per statue basis only. It is therefore suggested that a contingency of \$65,000 be used to cover all crane lifting costs)

Timeline: To relocate the 21 sculptures would require a construction phase of approximately 5 months.

**.1 Hercules**Condition description

- Abrasions on back side of legs and middle back. Considered recent (within past 10 years).
- Soiled by organic dirt from trees and biofilm, especially within upper third surface area.
- Salt efflorescence upward to top of knees and general rising damp to middle body area. Result of having significant portion of lower statue body buried in the ground. Recent.
- Previous pressure washing markings observed by dark geometric areas at front surface. Recent.
- Lost part of right foot toe. Recent.

Recommend

- Cleaning
- Lifting and resetting above grade on new base. A temporary solution, which would be carried out under cost No. 1 below, would be to remove the present fill material from around the feet and replace with a better draining material such as pea-gravel, such that the feet are exposed, but surrounding drainage is improved. The issue with this approach is the risk of creating a depression around the sculpture that could cause someone to trip.
- Localize mechanical consolidation of front toe in order to retain small shard still present next to lost portion.

Urgency HighCost No. 1 \$4,800.00

No. 2 \$16,800.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$19,800.00 (+ \$3500 for damage/repair contingency during moving)

**.2 Marker Stone**Condition

- Soiled.
- Setting on grade, presumed unfixed to a proper base. Location makes it vulnerable to traffic damage.
- Abrasions to front and right side (proper).

Recommend

- Reset above grade on adequate base in location of high visibility, but out of way of traffic collision.
- Clean.

Urgency HighCost No. 1 3,000.00 (includes temporary resetting on crushed aggregate only, not a concrete foundation)

No. 2 \$6,500.00 (+ \$1500 for damage/repair contingency during moving)

No. 3 \$7,500.00 (+ \$1500 for damage/repair contingency during moving)

**.3 Minotaur**Condition

- Front left hand has old loss, and is now filled with failing and incompatible mortar fill.
- Fracture in front left hand at wrist.
- Left ear has old repair of old loss, as well as adjacent fissure.
- Left side proper has small fissure of geologic cause, with most significant with imminent loss in form of spall along the thigh.
- Old and failing mortar fill at location below knee (left proper), adjacent to concrete pad.
- Old large loss at ankle on left proper leg, adjacent to concrete.
- Long fracture, possible related to geology at rear, under tail location with loss imminent.
- Heavy soiled from tree and biofilm colonization.

Recommend

- Renew all old repairs with compatible mortar fills.
- Mechanical consolidate, micro-grout inject and fill all fractures.
- Clean.

Urgency High

Cost No. 1 \$5,200.00  
 No. 2 \$17,700.00 (+ \$3500 for damage/repair contingency during moving)  
 No. 3 \$20,700.00 (+ \$3500 for damage/repair contingency during moving)

**.4 Typhon**Condition

- Generally very good condition, with tight fissures occasionally observed, but not considered a threat to condition.
- Abrasion at front corner of tail above the left hand. Considered new.
- Fissure at right side proper, behind right arm that is early beginnings of a potential spall.
- Recently cleaned, but minor uncleaned areas at base as witnessed by geometric lines left by pressure washing wand with fan-tipped nozzle.

Recommend

- Mechanical consolidation of small left side surface to prevent spall using small stitching, fissure injection.

Urgency Low

Cost No. 1 \$4,000.00  
 No. 2 \$16,500.00 (+ \$3500 for damage/repair contingency during moving)  
 No. 3 \$19,500.00 (+ \$3500 for damage/repair contingency during moving)

**.5 Aphrodite**Condition

- Good condition throughout.
- Hole in top of head, felt to be related to original block (i.e. lifting hole).
- Abrasion on front left knee, of recent occurrence it is felt.
- Small fissure on rear of head, left proper, but of no issue. Related to geology and is shallow.
- Moderately/uneven clean. Obvious traces of previous pressure washing, as witnessed by uncleaned areas at base as witnessed by geometric lines left by pressure washing wand with fan-tipped nozzle. Recent.

Recommend

- Fill hole in top of head.
- Improve the quality of existing cleaning.

Urgency Low

Cost No. 1 \$4,000.00  
 No. 2 \$16,500.00 (+ \$3500 for damage/repair contingency during moving)  
 No. 3 \$19,500.00 (+ \$3500 for damage/repair contingency during moving)

**.6 Hydra**Condition

- Left side proper displays geology voiding, marking the lower junction of the block used by the artist between poor lower and upper best bed in the quarry. In this case, the geologic features are not causing any condition issues with regards selective deterioration.
- Slight surface loss to right shoulder (difficult to observe closely in the present position where it is crowded on by building structure). Considered old.
- Fissure is opened and appears to have been partially filled with mortar at some point in the past. Located along right proper side at wing.
- Soiled by general organic deposition from trees and biofilm.

Recommend

- Mechanical consolidation of fissure on wing.

- Cleaning.

Urgency Moderate

Cost No. 1 \$4,500.00

No. 2 \$17,000.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$20,000.00 (+ \$3500 for damage/repair contingency during moving)

## **.7 Narcissus**

### Condition

- Minor abrasion to head and toe, considered recent.
- Minor spall at middle back area above propped arm, considered old.
- Drinks stain on top of forehead.

### Recommend

- Cleaning

Urgency Low

Cost No. 1 \$4,200.00

No. 2 \$16,700.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$19,700.00 (+ \$3500 for damage/repair contingency during moving)

## **.8 Medusa**

### Condition

- General good condition.
- Low set position in ground. Unclear stability with regards subgrade footing.
- Small spall at lower rear proper right side, considered old.
- Small abrasion at front proper left leg, considered recent.
- General heavy soiling from overhead vegetation and biofilm.

### Recommend

- Raise and improve footing and its connection with the sculpture.
- Clean.

Urgency Moderate to High

Cost No. 1 \$4,300.00

No. 2 \$16,800.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$19,800.00 (+ \$3500 for damage/repair contingency during moving)

## **.9 Centaur**

### Condition

- General good condition.
- Setting low on grade.
- Minor abrasion to both proper right hooves. Considered new.
- Geologic voiding along left side proper, but not affecting condition.
- Whole of lower front and rear leg, proper left, has been restored with a concrete patch fill, condition stable, with cosmetic colouring good.
- Uneven soiling, although recently cleaned with suspected pressure washing, though poorly completed.

### Recommend

- Would benefit from being raised off the grade level more.
- Cleaning.

Urgency Low to Moderate

Cost No. 1 \$4,300.00

No. 2 \$16,800.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$19,800.00 (+ \$3500 for damage/repair contingency during moving)

**.10 Mermaid**Condition

- Placed too low in ground. Recent.
- Has received major repairs, possible reattachment of tail/fin. Continuous crack fill with incompatible mortar. Mechanical consolidation of previous work appears to be stable.
- Old mortar fill to top edge of tail on proper right side.
- Old mortar repair fill at middle length, at grade, on proper right side.
- Significant loss to end of hair on proper left side. Recent.
- Abrasions to surface of lower hair location on proper left side, as well as on same side shoulder of mermaid as well as the shoulder of child figure.
- Soiled unevenly by inadequate cleaning. Recent.

Recommend

- Raise and reset to be positioned above grade.
- Renew aged repair with compatible repair fills.

Urgency Moderate to High.Cost No. 1 \$5,000.00

No. 2 \$17,500.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$20,500.00 (+ \$3500 for damage/repair contingency during moving)

**.11 Three Graces**Condition

- Several open fissures found throughout lower front leg areas. Some previous repairs to fill and possibly to consolidate, but hollow sounding and possible loss imminent.
- Similar fissures at proper left rear figure arm and lower down near base below front seated figure.
- General clean appearance.

Recommend

- Mechanical consolidation of old and recent fissures to prevent escalation of condition and certain loss of important detailing.

Urgency HighCost No. 1 \$6,800.00

No. 2 \$19,300.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$22,300.00 (+ \$3500 for damage/repair contingency during moving)

**.12 Phoenix**Condition

- Significant fissure with high chance of loss at lower left, proper side.
- Significant fissure with high chance of loss at upper left, proper side
- Generally clean.

Recommendation

- Mechanical consolidation, micro crack injection and fill to fissures.

Urgency HighCost No. 1 \$3,500.00

No. 2 \$16,000.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$19,000.00 (+ \$3500 for damage/repair contingency during moving)

**.13 Orpheus**Condition

- Considered to be set too low in ground. Recent.
- Significant previous repairs to consolidate and fill fracture along complete middle area of lyre. Possible reattachment repair. Appears stable, but fills are incompatible with limestone.
- Major fissure with hollow sound portion of thigh area of statue front. Repaired but not considered stable.
- Old mortar patch at middle rib area at rear side.

- Surface is considered clean.

#### Recommend

- Renew and improve mechanical consolidation of old cracks/fissures and mortar fills.
- Raise and reset to higher position above grade.

Urgency High

Cost No. 1 \$5,800.00  
 No. 2 \$18,300.00 (+ \$3500 for damage/repair contingency during moving)  
 No. 3 \$21,300.00 (+ \$3500 for damage/repair contingency during moving)

### **.14 Boy on a Dolphin**

#### Condition

- Fin, proper left, appears missing. Considered an old loss.
- Fissure that is vulnerable is present at fin, proper left side.
- Fissure with active spall present on cheek of dolphin, proper left side.
- Beak/mouth of dolphin has vulnerable fissure with loss potential.
- Minor voiding and geologic features of no threat on upper shoulder area of boy, proper right side.
- Medium soiled.

#### Recommend

- Mechanical consolidation by stitching, micro grouting and fill to noted locations.

Urgency High

Cost No. 1 \$3,800.00  
 No. 2 \$16,300.00 (+ \$3500 for damage/repair contingency during moving)  
 No. 3 \$19,300.00 (+ \$3500 for damage/repair contingency during moving)

### **.15 Cerberus**

#### Condition

- General condition is good throughout.
- Heavily soiled by tree and biofilm growth.
- Geologic voiding along bottom, especially rear side, but in firm condition.

#### Recommend

- Cleaning only.

Urgency Moderate

Cost No. 1 \$4,500.00  
 No. 2 \$17,000.00 (+ \$3500 for damage/repair contingency during moving)  
 No. 3 \$20,000.00 (+ \$3500 for damage/repair contingency during moving)

### **.16 Cyclops**

#### Condition

- Fractured corner requires reattachment and consolidation, otherwise loss is imminent.
- Additional fracture line requiring consolidation, micro grouting and filling.
- Deep abrasion on leg, considered recent (last 5 years), and minor abrasions around head.
- Major loss to toe area of extended foot. Recent loss.
- Does not appear have fixed stability on concrete base, and sets out of level position.
- Soiled by overhead trees and general biofilm colonization.

#### Recommend

- Mechanical repair to crack and fracture corner.
- Lift and reset on new level concrete base with proper damp proof membrane below.
- Cleaning.

Urgency High

Cost No. 1 \$4,500.00  
 No. 2 \$17,000.00 (+ \$3500 for damage/repair contingency during moving)  
 No. 3 \$20,000.00 (+ \$3500 for damage/repair contingency during moving)



**.17 Harpies**Condition

- General good condition.
- Appears to have considerable concrete fill along base as part of previous restoration work. Appears stable, though fissures are present at face elevation.
- Considered clean.

Recommend

- Stabilize fissures in apparent concrete material at lower face elevation described above.

Urgency Low to ModerateCost No. 1 \$4,500.00

No. 2 \$17,000.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$20,000.00 (+ \$3500 for damage/repair contingency during moving)

**.18 Sphinx**Condition

- Tail has fissured opening and strong chance of further loss. The issue is geology related.
- Open voids in same area are related to same issues of geologic deterioration.
- Moderately soiled. Previously power-washed with pressure using wand nozzle, but some unevenness.
- The statue is set too low in the ground, with rising damp apparent.

Recommend

- Mechanical consolidation of fissures along tail area, with micro grout injection and mortar fills.

Urgency Moderate to High.Cost No. 1 \$4,500.00

No. 2 \$17,000.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$20,000.00 (+ \$3500 for damage/repair contingency during moving)

**.19 Sea Horse**Condition

- Fracture line through full length of body following bedding line. Previously repaired by limited mechanical consolidation (stitching), with adjacent surface voiding and crack filling with mortar.
- Additional fracture line through head that appears active, and which may have taken place during this past winter, since it was not detected during earlier condition reviews.
- Large loss at rear end above the base, which will remain a loss, though additional treatment to secure localized detachment is required.
- Significant loss of front hoof with adjacent fissures adjacent to the loss.
- Abrasion at lower right proper side below horse face. Recent.
- General soiled surface in upper 2/3's of surface. Mysterious lower cleaned portion.

Recommend

- Additional mechanical consolidation of long body repair of old fracture, especially in area of head.
- Renew all mortar repairs for visual and general compatibility.
- Mechanical consolidate with small stitching and micro-grouting in area adjacent to broken hoof.
- Clean surface.

Urgency HighCost No. 1 \$4,800.00

No. 2 \$17,300.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$20,300.00 (+ \$3500 for damage/repair contingency during moving)

**.20 Triton**Condition

- Surface abrasions at left and right tails area. Recent.
- Loss to upper arm surface showing large spall. Considered an old loss.
- Fissure on middle arm area of main elevation with possible loss if not consolidated.
- Geologic voiding throughout lower rear side. Not an issue, except along lower left proper end where there is a significant fissure requiring consolidation.
- Clean, though presence of heavy soiling along base of main elevation.

Recommend

- Mechanical consolidation to fissure on front arm.
- Mechanical consolidation of rear side fissure and indicated.
- Clean bottom to even out presentation.

Urgency

Moderate to High

Cost

No. 1 \$4,800.00

No. 2 \$17,300.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$20,300.00 (+ \$3500 for damage/repair contingency during moving)

**.21 Pan**Condition

- Several and multiple layered zones along the front half of the sculpture are actively detaching. Some previously repaired with incompatible fills and minor mechanical consolidation.
- Risk of significant losses.
- Light to moderate soiling over surface.

Recommend

- Detailed and strategic mechanical consolidation by stitching, microgrouting and mortar fills.

Urgency

High

Cost

No. 1 \$8,000.00

No. 2 \$20,500.00 (+ \$3500 for damage/repair contingency during moving)

No. 3 \$23,500.00 (+ \$3500 for damage/repair contingency during moving)

**7.0 Description of general conservation repairs**

There are several standard forms of conservation treatments processes that are required for the sculpture repairs. Each is based on practiced procedures and approved materials within the international conservation community.

Mechanical consolidation and mortar fill procedures refers to the procedure required to retain any detaching portions of the sculpted detailing. The detaching portions can be very large, such as they would be for the Pan Sculpture, or small (often a localized spall). Such detachments are often hollow, and micro injection with compatible hydraulic lime based materials would insure filling as best as can be achieved. The fissure associated with the detachment is filled with mortars that are compatible both physically and cosmetically with the limestone. As a stone conservator would be responsible for such repairs, it would be normal practice to gauge and mix the mortar and fills following careful selection of binders, pigments and aggregate.

The mechanical connection requires drilling as small a hole as possible through the detaching portion, cleaning and flushing thoroughly. The restraint mechanism is achieved by placing a stainless steel threaded rod into the bored hole, following which epoxy resin is injected to encase and solidify the rod/connection in place.

This report does not support the restoration of lost portions by Dutchmen insert repairs to unless otherwise required for structural support. Minor losses are considered part of the history or age

of the art works. As long as a condition is not otherwise adversely affecting the sculpture, all such losses, including abrasions, will be left as is. However, repair fills that have been carried out in the past, would require renewal with better compatible repair mortars.

Following the conservation repairs and remaining in their present location, several forms of care are required to ensure their safety and protection. As follows:

- Provide permanent rigid and safe fencing around those sculptures that are especially vulnerable to further damage by public interaction. Narcissus, the Mermaid, and the Boy with a Dolphin sculptures are three such examples.
- Continue the required policy set out by Exhibition Place Records & Archives of having all Muzik Club's staff educated and made aware of the significant value of the sculptures as public art pieces; how each has chemical and physical vulnerabilities in the Muzik Club setting with regards the numerous forms of activity that takes place there. As such, the following must be monitored and protections put in place to ensure against future damage of the sculptures:
  - Furniture moving
  - General terrace cleaning and maintenance.
  - Hired contractor works that may take place near one or several sculptures, for which rigid and full covered wood crating and soft cloth protection must be placed over each sculpture.
  - Patron interaction such as placing drinks/food or sitting on the sculpture must be enforced against.
  - Proactive and watchful communicating between Muzik Club's staff and Exhibition Place Records & Archives with regards all possible subjects of condition and care, including accidental damage, of the sculpture.
  - Any desired maintenance of the sculpture felt necessary by Muzik Club must be made the business of Exhibition Place Records & Archives, who will consider the request and hire the necessary conservation expertise to complete work.
  - Ensure that sand and mulch around sculpture bases do not contact the art pieces.
  - Continue the present arrangement with Exhibition Place Records & Archives of regular site visits to inspect and record the physical and situational condition of each sculpture.

## **8.0 Work Plan for long term maintenance**

- Having a contracted conservator to provide maintenance, especially when on-hands treatments are required helps mobilize for both routine and emergency issues such as cracks or, possibly, graffiti. For this a maintenance budget could be established for routine types of care.
- Annual inspection on a twice yearly basis is prudent. Early summer and late autumn are the choicest times.
- Bi-annual light duty cleaning to maintain atmospheric dirt and biofilm colonization.
- Once consolidated and repaired, it is felt that the sculptures will be okay left uncovered out of door without winter box protection. However, the final decision on this can only be made after the repairs are completed and full assessment of final conditions of the most damaged sculptures are intimately familiar.

## **9.0 Working plan to move sculpture to new location**

- .1 Access the site and remove all movable property such as fences, flagstones, other. Store and protect them, and reinstate after sculpture is removed from site. Landscaping repairs will be required.
- .2 Access site for removal of statue from their fixed positions on concrete slabs. This will require large saws. Dust will be generated, saw fuel exhaust, and noise.

- .3 Shore each statue during time to release from its position, and immediately lift and place in crate suitable to hold and secure the statue. It is anticipated that 70% can be set directly on padded pallets and secured with soft protection wrapped about them. Some statues will need to be placed and secured on crates on their sides.
- .4 Crane and/or fork-lift systems to pick up each statue and carry it to a large platform transport truck. It is understood that fork-lifting equipment is not be possible on the property because of the pavement restrictions to carry load and cause damage. Therefore an ultra-sized crane is anticipated to have the reach and lift capacity to lift the statues out of the garden terrace area and onto the transport truck. It will need to be parked on the nearby streets, which will require permits and the like.
- .5 At the new location, full footed foundations or platform type pads to serve anchoring and supporting the sculpture will be excavated, formed and concrete poured. It is anticipated that a general height above grade of 4 inches will be needed for the majority of sculpture. The top surfaces would need to have a damp proof membrane, probably of 6ml lead, so as to prevent rising damp from the ground and concrete form entering the lower portions of the sculpture.
- .6 The sculptures would be crane-lifted from the truck after secure strapping is removed, followed by careful lowering and fixing to their individual foundation base.
- .7 Work related to any damage that occurred while handling them or adjustments to existing bottoms that is required to fit the foundation would need to be done before final fixing in place.
- .8 Final landscaping.

#### **10.0 The site conditions that would be required at new location**

- .1 The sculptures were created for appreciation in a wilderness-type location. As such, and respecting this, it is not necessary to avoid placement within shrub or tree growth, as long as an effective and dedicated maintenance program is followed whereby the organic grime that occurs within those situations is cleaned with required regularity (see above).
- .2 The sculptures must not be contacted by lawn sprinkler installations during summer.
- .3 They are not suited to stand in water, though beside a water feature of the landscape without wetting is fine.
- .4 They must not contact the ground.
- .5 A level of security at the location is required in order to monitor potential abuse from the public such as skateboard jumping, pushing over, or having them tagged by graffiti. Similarly, accidental bumping by wheel traffic or garden maintenance equipment must be avoided in their new positions. The limestone is a very soft material which abrades and fractures with relative ease, especially to parts of their composition that project outward.
- .6 It must be determined if the artist's original intention of having them interacted with, in the way children might do, is okay. If so, readiness by a conservator to carry out occasional repair to a small loss of the sculpture will be valuable.
- .7 Keeping the 20 together within a park type space where they continue to relate to one another in an overall compositional way is important, as was originally envisioned by the artist.

**END**

Appendix C  
List of Urgent 2015 Recommended Repairs In Situ

Urgent SOGR Repairs (specifically as outlined in the Gillingwater Report)	
Statue	Cost
Hercules	\$4,800
Marker Stone	\$3,000
Minotaur	\$5,200
Three Graces	\$6,800
Phoenix	\$3,500
Orpheus	\$5,800
Boy on A Dolphin	\$3,800
Cyclops	\$4,500
Sea Horse	\$4,800
Pan	\$8,000
Total	\$50,200

## Appendix D

**Dianne Young**

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**To:** Michael Binetti  
**Subject:** RE: Greek Gods - Cleaning

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**From:** Michael Binetti [mailto:mbinetti@agmlawyers.com]  
**Sent:** Tuesday, January 20, 2015 10:11 AM  
**To:** Dianne Young  
**Cc:** Zlatko Starkovski  
**Subject:** RE: Greek Gods - Cleaning

Dianne,

Please see the attached email exchange from the contractor involved with the moving of the statutes, without waiver of privilege.

My client advises that he never asked any of his employees or subcontractors to perform any cleaning of the statutes and that to the best of his knowledge, no cleaning was in fact performed.

I trust this is satisfactory.

Michael Binetti

Affleck  
Greene  
McMurtry



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**From:** Jenny Andonov  
**To:** Michael Binetti;  
**cc:** Zlatko Starkovski;  
**Subject:** FW: Request for Information  
**Date:** Friday, January 09, 2015 10:48:16 AM

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Good Morning Michael,

As requested, please see below letter from Mike Peister of Aldershot re: Garden of the Greek Gods statutes.

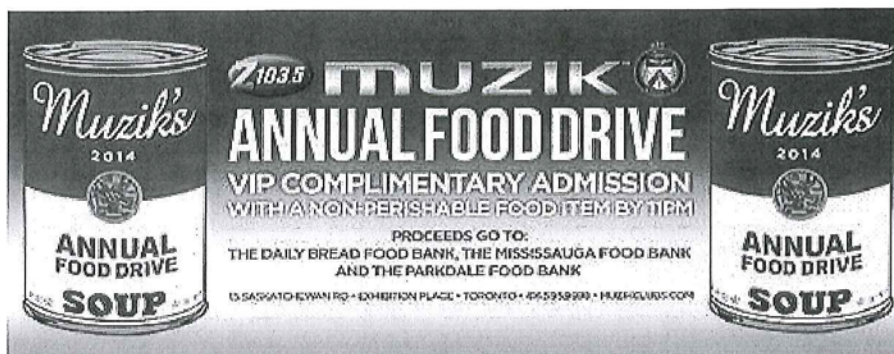
If you require anything further, please feel free to contact us.

Sincerely,



THANK YOU FOR CHOOSING  
**MUZIK**

Jenny Andonov  
MUZIK  
Exhibition Place  
15 Saskatchewan Road  
Toronto, Ontario  
M6K 3C3  
Tel: (416) 595-9998  
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**From:** Mike Peister [mailto:MPeister@aldershotlandscape.com]  
**Sent:** January-09-15 10:13 AM  
**To:** Jenny Andonov  
**Cc:** Zlatko Starkovski  
**Subject:** RE: Request for Information

Hi Jenny,

None of my employees or subcontractors have performed any cleaning of the Statues.

Please let me know if you require anything else.

Mike Peister  
 Construction Manager  
 Aldershot Landscape Contractors LP

---

**From:** Jenny Andonov [mailto:jenny@muzikclubs.com]  
**Sent:** Thursday, January 08, 2015 12:58 PM  
**To:** Mike Peister  
**Cc:** Zlatko Starkovski; Jenny Andonov  
**Subject:** Request for Information

Mike Peister  
 Aldershot Landscape Contractors Inc.  
 166 Platt Road



Burlington, Ontario  
L7R 3X5

Dear Mike,

Hope that this email finds you well.

We are writing to you on the request of our legal counsel. They understand that you and/or your employees assisted with the relocation of various statutes located on our patio (property leased by Muzik through Exhibition Place), collectively known as the Garden of the Greek Gods statutes.

We have been asked by Exhibition Place to enquire as to whether anyone from your company or any subcontractor hired by your company engaged in any cleaning whatsoever of any of the 20 Garden of the Greek Gods statutes. If so, would you please be so kind and advise as to what method was used to clean the statutes.

We look forward to hearing from you at your earliest convenience.

Sincerely,



THANK YOU FOR CHOOSING  
**MUZIK™**

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