

**AGREEMENT FOR LOCATION OF SCULPTURE**

THIS AGREEMENT ("Agreement") is made this 17<sup>th</sup> day of April, 2014, by and between Scott F. Lutgert, ("Scott Lutgert") and the City of Naples ("City of Naples").

WHEREAS, Scott Lutgert is the owner of a certain sculpture of the artist Raymond Lutgert known as "Transitions" as identified and depicted on Exhibit "A" attached hereto (the "Lutgert Sculpture");

WHEREAS, the Lutgert Sculpture is currently located on, or adjacent to, the property known as the Village on Venetian Bay Shopping Center (the "Shopping Center");

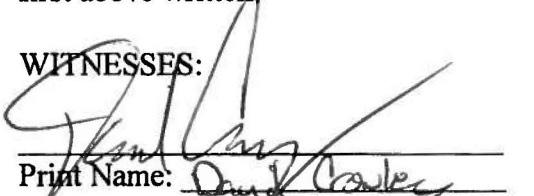

WHEREAS, the parties desire that the Lutgert Sculpture be relocated to the City of Naples right of way subject to the terms of this Agreement;

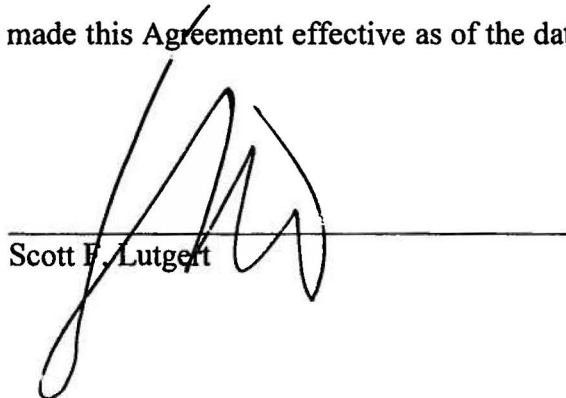
NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. The parties agree that Scott Lutgert may relocate the Lutgert Sculpture to the Gulf Shore Boulevard North right of way in the location shown on Exhibit "B". Scott Lutgert shall pay for the cost of relocating the Lutgert Sculpture. In no event shall the City of Naples be responsible for any insurance for, or damage to, the Lutgert Sculpture. The City of Naples shall remain responsible for maintaining the right of way area around the Lutgert Sculpture.
2. The parties agree that the Lutgert Sculpture shall remain the sole property of Scott Lutgert. Scott Lutgert may remove the Lutgert Sculpture with thirty (30) days prior written notice to the City of Naples.
3. This Agreement shall be binding upon the parties and their successors, heirs, and assigns.

IN WITNESS WHEREOF, the parties have made this Agreement effective as of the date first above written.

WITNESSES:

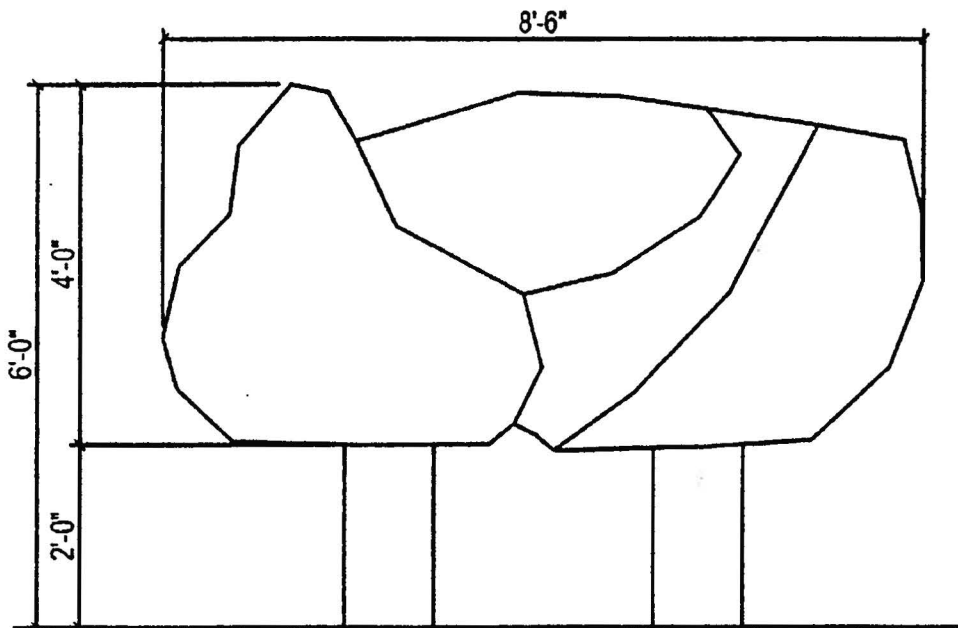
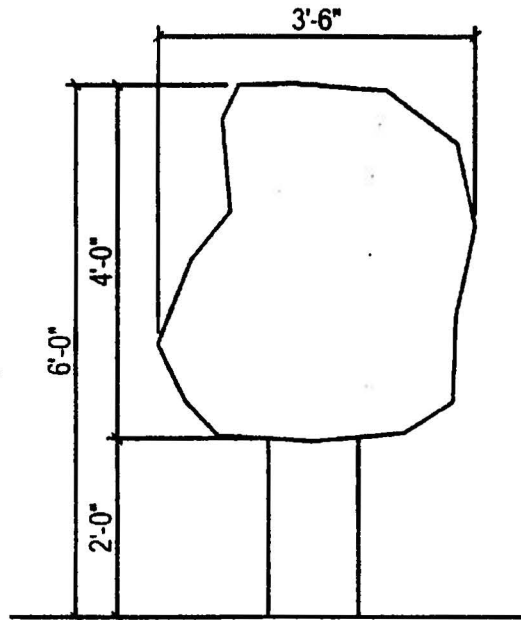
  
Print Name: Dawn Cowley  
  
Print Name: Erik Lutgert

  
\_\_\_\_\_  
Scott F. Lutgert

**Exhibit "A"**

## "TRANSITIONS"

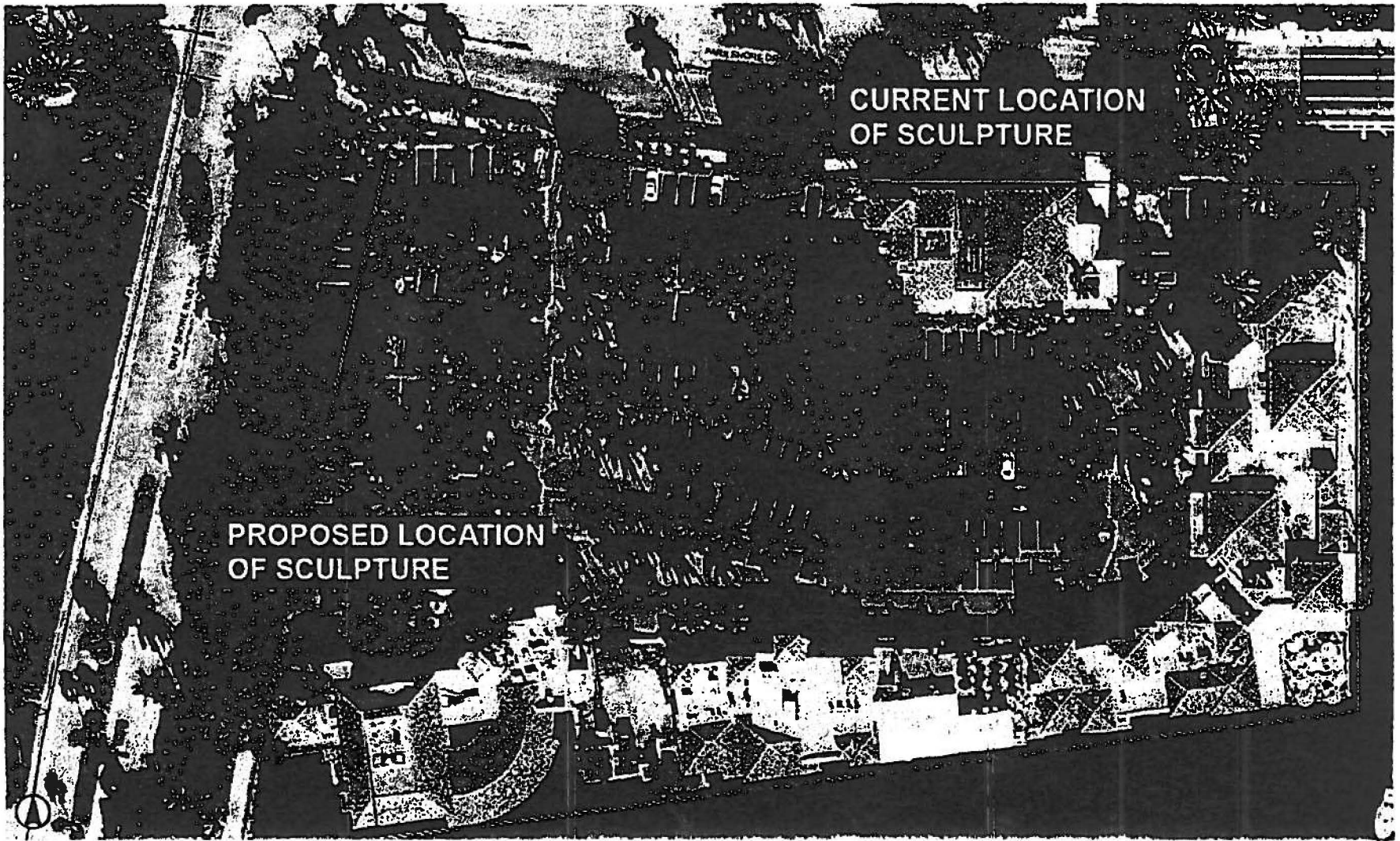
ARTWORK IS A CARVED SOLID BLOCK OF ITALIAN TRAVERTINE MARBLE RENDERED BY RAYMOND LUTGERT. THE SCULPTURE STANDS APPROXIMATELY 6'-0" TALL AND 8'-6" LONG BY 3'-6" DEEP. THE LATE MR. LUTGERT CARVED THIS PIECE APPROXIMATELY 25 YEARS AGO. THE SCULPTURE SITS ON A STAINLESS STEEL PEDESTAL.



VILLAGE ON VENETIAN BAY  
"TRANSITIONS" SCULPTURE RELOCATION SPECS  
10-21-13

**CORBAN**  
ARCHITECTURE/PLANNING/SUSTAINABILITY  
David Corban architect, pllc  
1042 6th Ave. North, Naples, FL 34102  
ph: 239.207.5528 license: ar 0015672

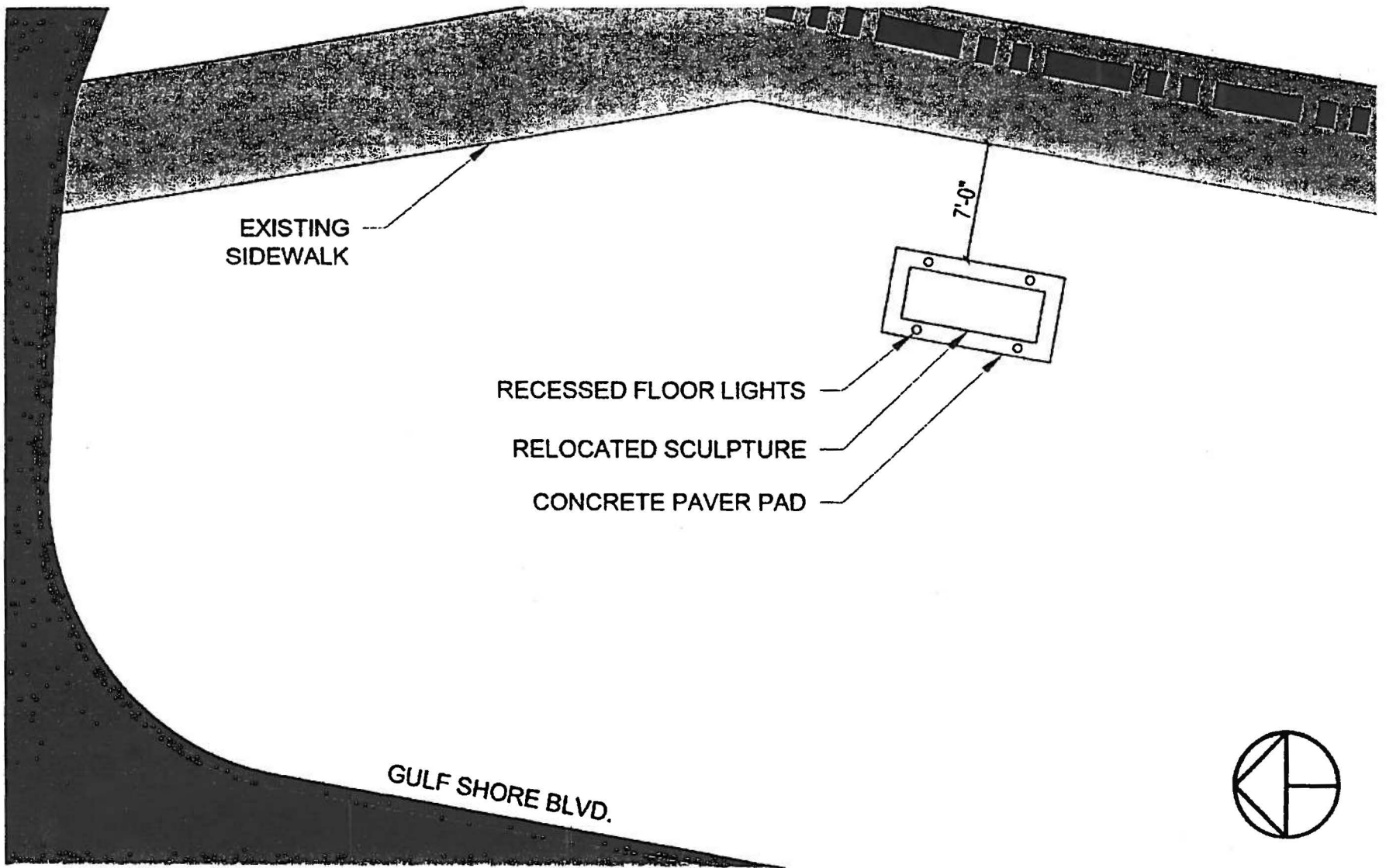
**Exhibit "B"**



VILLAGE ON VENETIAN BAY  
"TRANSITIONS" SCULPTURE RELOCATION SITE PLAN

10-21-13 SCALE: NTS

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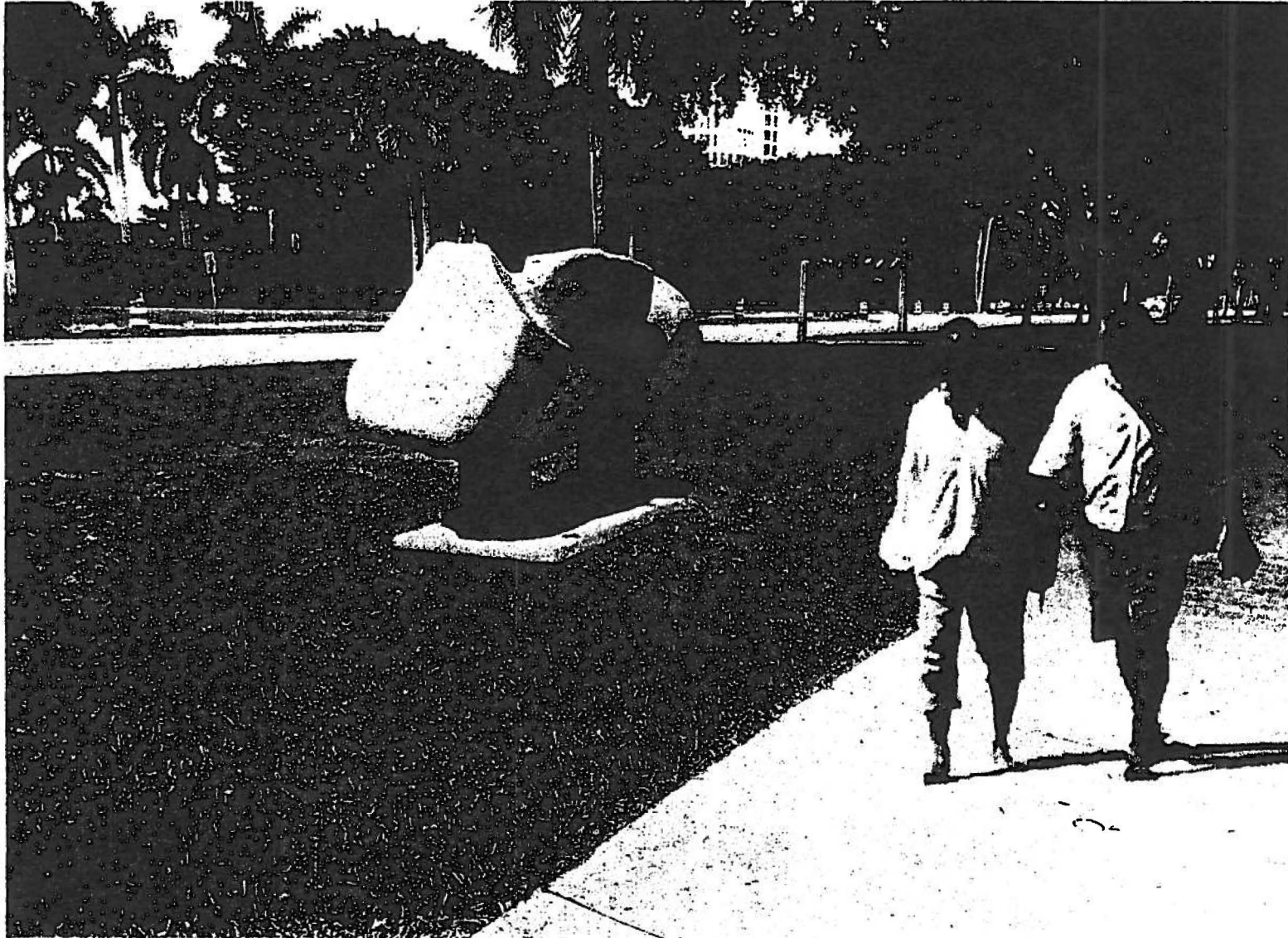


VILLAGE ON VENETIAN BAY  
 "TRANSITIONS" SCULPTURE RELOCATION PLAN

10-21-13 SCALE: 1/8" = 1'-0"



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VILLAGE ON VENETIAN BAY  
"TRANSITIONS" SCULPTURE RELOCATION RENDERING #2  
10-21-13

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VILLAGE ON VENETIAN BAY  
"TRANSITIONS" SCULPTURE RELOCATION RENDERING #1  
10-21-13

**CORBAN**

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Ph: 239.207.5528 license: or 0015872



Karla Gibbs  
Print Name: Karla Gibbs  
Rita Naughton  
Print Name: RITA NAUGHTON

City of Naples  
By: A. Williams  
Its: City Manager

**Approved as to form and legality**  
By Robert D. Pritt  
**Robert D. Pritt, City Attorney**

Attest:  
Jessica R. Rosenberg  
Jessica R. Rosenberg, Deputy City Clerk