

AGREEMENT FOR CONDITIONAL GIFT

Agreement between the Warne Family Foundation, 3737 E. Broadway Road, Phoenix, Arizona, Donor, and the Cochise County Board of Supervisors, 1415 Melody Lane, Building G, Bisbee, Arizona, Donee.

Whereas, Donor has commissioned the production of a bronze sculpture, depicting the miner George Warren, whose likeness appears on the Great Seal of the State of Arizona and which honors the role that mining played in the development and continuing progress of Arizona;

Whereas, Donor wished to donate this sculpture to Cochise County for public display; and,

Whereas, the Donor intends that the donation of the sculpture to Cochise County be for as long as certain conditions of the donation are followed:

Now therefore the Parties agree as follows:

Donor agrees to give to Donee for the benefit of the People of Cochise County the bronze sculpture of the miner George Warren, whose likeness appears on the Great Seal of the State of Arizona, as shown in the attached Photograph, upon the terms and conditions stated below, and Donee agrees to accept the sculpture on the terms and conditions stated below:

1. The sculpture shall be maintained in good condition.
2. The sculpture shall remain on public display in the lobby of the Board of Supervisors' Office, 1415 Melody Lane, Bisbee, Arizona.
3. If the sculpture is removed from its public display in the lobby area. Donor shall be immediately notified and the ownership, right, title, and all interest in the sculpture shall revert to the Warne Family Foundation, unless another location is approved by the Donor.
4. This donation of the sculpture is made on condition that the above requirements be faithfully complied with by the Donee, and if the conditions are not satisfied and not corrected within 10 business days, then in such event Donee immediately shall return the sculpture to the Warne Family Foundation at 3737 E. Broadway Road, Phoenix, Arizona, at the expense of Cochise County.

Agreed to this _____ day of _____, 2013, in Bisbee, Arizona by

DONEE

DONOR

Chair, Cochise County Board of Supervisors

Mr. James E. Warne, Jr., Trustee