

SAN DIEGO UNIFIED SCHOOL DISTRICT ("DISTRICT")

ARTIST WAIVER

Under the California Art Preservation Act ("Act"), Cal. Civil Code § 987, the right to authorize the physical alteration or destruction of fine art – including, but not limited to, original paintings, sculpture, drawings or glasswork of recognized quality, but not including work prepared under contract for commercial use by its purchaser – remains with the artist and vests in the artist's beneficiary, heir or representative, for fifty (50) years after the artist's death. Under section 987(g)(3) of the Act, the artist may waive this right. Section 987(h)(1) of the Act, states that if a work of fine art cannot be removed from a building scheduled for demolition without substantial damage to the art, the artist waives this right. If the art can be removed but the District elects not to remove it, the District must notify the artist in writing in advance of any demolition at the school where the art resides. The artist has ninety (90) days to remove or pay for the removal of the artwork, at the artist's expense. Once the artist, or his or her heir, beneficiary or representative, pays for the removal, ownership passes to that person from the District.

I have read this waiver, understand its contents, and voluntarily agree: (1) to waive my rights to ownership, under the Act, of the subject art described in Attachment 1A, and (2) to waive my rights to protect against physical alteration or destruction of the subject art described in Attachment 1A.

Signature

_____, 20____
Date

Print Name