

GIFT AGREEMENT – BETWEEN CITY OF SANTA FE AND

CHRISTI NEWHALL

THIS GIFT AGREEMENT ("Agreement") is made and entered into by and between the City of Santa Fe a municipal corporation organized under the laws of New Mexico (the "City") and Christi Newhall ("Donor") an individual residing in Chimayo, New Mexico without mail service, who is receiving mail at Mail Call at 1000 Cordova Place, Unit #527, Santa Fe, New Mexico 87505, collectively the "Parties". The date of this Agreement shall be the date when it is executed by the City and the Donor, whichever occurs last.

RECITALS

WHEREAS, the Donor agrees to donate to the City books on photography and visual art (the "Books"), carefully selected and gifted to the Donor by Beaumont Newhall; and

WHEREAS, the books represent a core library of books of significant to Beaumont Newhall, his legacy and the field; and

WHEREAS, the Donor has free and clear title and ownership of the Books, and the Books are not a part of the estate of Beaumont Newhall; and

WHEREAS, the Donor has agreed to donate the Books at no cost to the City and consistent with the authority granted to Cities under State law, NMSA 1978, § 3-18-15 (1973); and

WHEREAS, the City has agreed to accept the Books on the terms set forth in this Agreement; and

WHEREAS, the Donor wishes that the Books be integrated into the Beaumont Newhall Library, currently owned by the City of Santa Fe;

AGREEMENT

In consideration of the matters described above, and of the mutual benefits and obligations set forth in this Agreement, the Parties agree as follows:

1. DESCRIPTION

A. The Books are estimated to be comprised of approximately 147 books on photography and visual art that were gifted to the Donor by Beaumont Newhall, to be confirmed and inventoried in "Final Inventory", to be completed via written confirmation by both the Donor and the City within 30 days of the City's receipt of the Books, in substantially the same form as **Attachment "A"**, attached hereto, which shall list each gifted item. If no confirmation of receipt has been concluded within that 30 day period, the list of books on Attachment A will be final inventory of the donated items. The Books include, without limitation, any inserts, inscriptions, and any materials included in or on the Books.

2. TITLE AND OWNERSHIP

A. The Donor shall pass clear title and ownership of the Books to the City upon possession of the Books by the City, or its agent, and the Donor shall cease to have any ownership rights to the Books. The Donor's donation of the Books to the City is irrevocable.

3. DELIVERY

Donor shall deliver the full and complete delivery of the Books to the City at a mutually agreed-upon time and place.

4. LIBRARY TERMS

A. The Books shall be incorporated into the Beaumont Newhall Library.

B. The Books shall, as soon as reasonably practicable, be accessible to the public in a non-circulating library, and the City shall implement and maintain reasonable security measures and systems to deter the unauthorized borrowing or theft of any of the materials comprising the Books.

C. The Books shall be properly stored, maintained and cared for.

D. The City shall have the sole and exclusive right to determine whether repairs to or restoration of the Books will be made.

5. MISCELLANY

A. This Agreement constitutes the entire agreement of the Parties with respect to the subject matter of this Agreement. This Agreement is irrevocable and is not subject to alteration or amendment except by an instrument in writing signed by each of the Parties.

B. This Agreement shall be binding upon and inure to the benefit of the parties to this Agreement and their respective heirs, personal representatives, successors and assigns. This Agreement is for the sole benefit of the Parties to this Agreement and shall not create any rights in any third party.

C. A waiver of any breach of any of the provisions of this Agreement shall not be construed as a continuing waiver of other breaches of other provisions thereof.

D. This Agreement may be executed in counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

6. REPRESENTATIONS

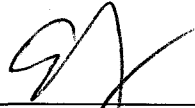
The Donor represents and warrants that she is duly authorized and has the legal capacity to execute and deliver this Agreement, including without limitation, that the Books will be incorporated into the Beaumont Newhall Library as described in the 1995 Agreement for Purchase of the Beaumont Newhall Library, and that the agreement of no other person or persons, other than the undersigned, are required for the terms of this Agreement to be valid and in effect. The City will incorporate the Books into what it reasonably believes to be the Beaumont Newhall Library, consisting of the items listed as "Newhall" in the Bill of Sale dated September 15, 2009 when the City acquired certain personal property of the College of Santa Fe.

7. APPLICABLE LAW

This Agreement shall be governed by the ordinances of the City of Santa Fe and the laws of the State of New Mexico.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date set forth below.

FOR THE CITY OF SANTA FE:




ERIK LITZENBERG
CITY MANAGER

12/27/10

DATE

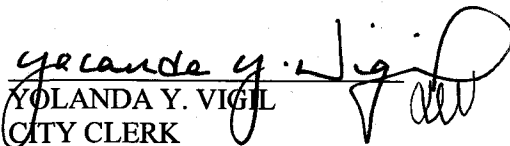
DONOR:



CHRISTI NEWHALL
DATE

For Christi Newhall
1/23/19

ATTEST:



YOLANDA Y. VIGIL
CITY CLERK

APPROVED AS TO FORM:



THERESA GHEEN, ASSISTANT CITY ATTORNEY

APPROVED:



MARY MCCOY, FINANCE DIRECTOR *mk*

Attachment A
Gift Agreement - 147 books

	Author/Editor	Title	Publisher	Location	Date	Inscription, etc.	Contribution/ mention
1	Adams Helms, Anne	Remembering Virginia		Salinas, California	2000		
2	Adams, Ansel	The Portfolios of Ansel Adams	Little, Brown and Company	New York, New York	1977	Yes	
3	Adams, Ansel	Camera and Lens: The Creative Approach	Morgan & Morgan, Inc., Publishers	New York, New York	1970		
4	Adams, Ansel	The Negative	Little, Brown and Company	New York, New York	1981		
5	Adams, Ansel	Camera and Lens: Basic Photo 1	Morgan & Lester/Fountain Press	New York, New York	1948	Yes	
6	Adams, Ansel	The Role of the Artist in Conservation	University of California	Berkeley, California	1975	Yes	
7	Adams, Ansel	Making a Photograph	The Studio Publications	New York, New York	1948		
8	Adams, Ansel	Ansel Adams, Letters and Images 1916-1984	Little, Brown and Company	Boston, Massachuets		unopened	
9	Adams, Ansel	Ansel Adams, Examples: The Making of 40 Photographs	Little, Brown and Company	Boston, Massachuets	1983		
10	Adams, Ansel	The Portfolios of Ansel Adams	Little, Brown and Company	Boston, Massachuets	1981		
11	Adams, Ansel	Ansel Adams, An Autobiography	Little, Brown and Company	Boston, Massachuets		Unopened	
12	Adams, Ansel; Newhall, Nancy	This is the American Earth	Sierra Club	San Francisco, California	1960		

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13	Adams, Ansel; Newhall, Nancy	The Pageant of History in Northern California	American Trust Company	San Francisco, California	1954	
14	Adams, Ansel; Newhall, Nancy	This is the American Earth	Sierra Club	San Francisco, California	1960	Yes
15	Ades, Dawn	Photomontage	Thames and Hudson Ltd	London	1976	
16	Agee, James; Evans, Walker	Let Us Now Praise Famous Men	Houghton Mifflin Co.	New York, New York	1978	
17	Alinder, Mary Street	Ansel Adams: A Biography	Henry Holt and Company, Inc.	New York, New York	1996	Yes
18	Alland, Alexander Sr.	Jacob A. Riis: Photographer and Citizen	Aperture, Inc.	Millerton, New York	1974	Yes
19	Ambler, Louise Todd; Banta, Melissa	The Invention of Photography and Its Impact on Learning	Harvard University Library	Cambridge, Massachusetts	1989	
20	Aperture	Issue: Fall, 1969, Volume 14, Number 2	Aperture, Inc.	Millerton, New York	1969	
21	Baldwin, Gordon	Looking at Photographs: A Guide to Technical Terms	J. Paul Getty Musuem/British Museum Press	London	1991	
22	Barnard, George N.	Photographic Views of Sherman's Campaign	Dover Publications, Inc.	New York, New York	1977	Yes
23	Berner, Jeff	The Photographic Experience	Anchor Press/Doubleday	New York, New York	1975	

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	Black and White Magazine for Collections of Fine Photography	Issue 38, August 2005	Black & White Magazine	Arroyo Grande, California	2005	Yes
24						
25	Boje, Walter	Magie der Farbenphotographie	Econ Verlag		1961	
26	Booth, Arthur H.	William Henry Fox Talbot: Father of Photography	Arthur Barker Limited	London	1965	
27	Borcoman, James	Eugene Atget 1857-1927	National Gallery of Canada	Ottawa, Canada	1984	Yes
28	Brown, Milton W.	The Story of the Armory Show	The Joseph H. Hirshhorn Foundation	New York, New York	1963	
29	Budnik, Dan	The Terminal Iron Works	University Art Gallery, State University of New York at Albany	Albany, New York	1974	
30	Bullock, Wynn	Wynn Bullock: The History of Photography Series	Aperture, Inc.	Millerton, New York	1976	
31	Camera	55th Year, June 1976, No.6	C.J. Bucher Ltd. Lucerne (Switzerland)	Switzerland	1976	Yes
32	Camera	55th Year, August 1976, No.8	C.J. Bucher Ltd. Lucerne (Switzerland)	Switzerland	1976	Yes
33	Camera	55th Year, May 1976, No.5	C.J. Bucher Ltd. Lucerne (Switzerland)	Switzerland	1976	Yes
34	Caponigro, Paul	Sunflower	Filmhaus Inc.	New York, New York	1974	

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35	Caponigro, Paul	Landscape	McGraw-Hill Paperbacks	New York, New York	1975
36	Cartier-Bresson, Henri	Henri Cartier-Bresson: Photographer	Little, Brown and Company	Boston, Massachuets	1979 Yes
37	Cartier-Bresson, Henri	The Decisive Moment: Photography by Henri Cartier- Bresson	Simon and Schuster	New York, New York	1952 Yes
38	Castro, Jan Garden	The Art & Life of Georgia O'Keeffe	Crown Publishers, Inc.	New York	1985 Yes
39	Center for Creative Photography	Alfred Stieglitz: A Talk, Number 1, March 1976	The University of Arizona	Tucson, Arizona	1976 Yes
40	Center for Creative Photography	The Early Work of Laura Gilpin 1917-1932, Research Series, Number 13, April 1981	The University of Arizona	Tucson, Arizona	1981
41	Coles, Robert	The Old Ones of New Mexico	Harcourt Brace Jovanovich, Publishers	New York, New York	1984
42	Conkelton, Sheryl	Home and Other Stories: Photographs by Catherine Wagner	The University of New Mexico Press	Albuquerque, New Mexico	1993
43	Davidson, Kathryn; Glassman, Elizabeth	Transfixed by Light: Photographs from the Menil Foundation Collection: Selected by Beaumont Newhall	Menil Foundation	Houston, Texas	1980
44	Davis, Keith F.	Todd Webb: Photographs of New York and Paris 1945-1960	Hallmark Cards, Inc	Kansas City, Missouri	1986 Yes
45	Eisler, Benita	O'Keeffe & Stieglitz: An American Romance	Nan A. Talese/Doubleday	New York, New York	1991

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46	El Palacio, Magazine of the Museum of New Mexico	Spring 1987, Volume 92, Number 3	Museum of New Mexico Press	Santa Fe, New Mexico	1987	
47	Enyeart, James	Main Street Studio: An Exhibition of Photographs of Famous Vaudeville Entertainers by Orval Hixon	The University of Kansas Museum of Art	Kansas	1971	
48	Evans, Walker	Photographs for the Farm Security Administration 1935-1938	Da Capo Press, Inc.	New York, New York	1975	
49	Feldstein, Mark	Unseen New York Photographs	Dover Publications	New York, New York	1975	
50	Fiedler, Jeannine	Photography at the Bauhaus	The MIT Press	Cambridge, Massachusetts	1990	
51	Ford, Colin	The Cameron Collection	Van Nostrand Reinhold/The National Portrait Gallery	London	1975	
52	Fox Talbot, William Henry	The Pencil of Nature	Da Capo Press, Inc.	New York, New York	1968	Yes Yes
53	Gernsheim, Helmut and Alison	Alvin Langdon Coburn Photographer: An Autobiography	Frederick A. Praeger	New York, New York	1966	Yes
54	Gowin, Emmet	Emmet Gowin: Photographs	Alfred A. Knopf, Inc.	New York, New York	1976	
55	Gunther, Thomas Michael; de Thezy, Marie	50 Ans de Photographie de Presse	Bibliotheque Historique de la Ville de Paris	Paris	1990	

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56	Hartmann, Sadakichi	The Valiant Knights of Daguerre	University of California Press	Berkeley, California	1978	
57	Heidelberg, Kehrler Verlag	Celebrities, Celebrities	Museum Ludwig Koln	Germany	1995	
58	Hickman, Paul; Pitts, Terence	George Fiske, Yosemite Photographer	Northland Press	Flagstaff, Arizona	1980	Yes
59	Hillson, Peter	Photography: A Study in Versatility	Doubleday & Company, Inc.	Garden City, New York	1969	Yes
60	Image	Volume 36, NOS.3-4	The George Eastman House, Inc.	Rochester, New York	1993	Yes
61	Kertesz, Andre	Sixty Years of Photography: 1912-1972	Grossman Publishers	New York	1972	
62	Klee, Paul	Pedagogical Sketchbook	Frederick A. Praeger	New York, New York	1953	
63	Lange, Dorothea	Dorothea Lange Looks at the American Country Woman	Amon Carter Museum	Fort Worth	1967	Yes
64	Leibovitz, Annie	Photographs Annie Leibovitz, 1970-1990	HarperCollins Publishers	New York, New York	1991	
65	Lepoittevin, Lucien	Le Cotentin Gens et Choses du Passe	Imprimerie Bellee, Coutances	Coutances, France	1969	Yes
66	Lisle, Laurie	Portrait of an Artist: A Biography of Georgia O'Keeffe	Washington Square Press	New York, New York	1987	Yes
67	Longwell, Dennis	Steichen: The Master Prints 1895-1914, The Symbolist Period	The Museum of Modern Art	New York, New York	1978	
68	Mahood, Ruth I.	Photographer of the Southwest: Adam Clark Vroman, 1856-1916	Bonanza Books	New York, New York		Yes
69	Martin, Rupert	A View from Above: 125 Years of Aerial Photography	The Photographers' Gallery	London	1984	

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70	Matthiessen, Peter; Porter, Eliot	The Tree Where Man Was Born/The African Experience	E.P. Dutton & Co., Inc.	New York, New York	1972 Yes
71	Moholy-Nagy, L.; Gropius, Walter	Bauhausbucher	L. Moholy-Nagy Malerei Fotografie Film	Germany	1927 Yes
72	Mora, Gilles; Hill, John T.	Walker Evans, The Hungry Eye	Harry N. Abrams, Inc., Publishers	New York, New York	1993
73	Moser, Lida	Fun in Photography: Special Effects and Tricks	American Photographic Book Publishing Co., Inc.	Garden City, New York	1974 Yes
74	Museo di Storia della Fotografia Fratelli Alimari	Fotologia 11: In onore di Lamberto Vitali	Fratelli Alinari Editrice	Italy	1989
75	Museum of Fine Arts, Museum of New Mexico	Beaumont Newhall: Colleagues and Friends	Museum of Fine Arts, Museum of New Mexico	Santa Fe, New Mexico	1993
76	Museum of Fine Arts, Museum of New Mexico	Proto-Modern Photography	Museum of Fine Arts, Museum of New Mexico	Santa Fe, New Mexico	unopened

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77	Museum of Fine Arts, Museum of New Mexico	Beaumont Newhall: Colleagues and Friends	Museum of Fine Arts, Museum of New Mexico	Santa Fe, New Mexico	1993	
78	Museum of Fine Arts, Museum of New Mexico	Proto-Modern Photography	Museum of Fine Arts, Museum of New Mexico	Santa Fe, New Mexico		
79	Museum of Photographic Arts	Revelaciones: The Art of Manuel Alvarez Bravo	The University of New Mexico Press	Albuquerque, New Mexico	1992	
80	Muybridge, Eadweard	Animals in Motion	Dover Publications	New York, New York	1957	
81	New Mexico Studies in the Fine Arts	History of Photography Issue, Volume II, 1977	The University of New Mexico Press	Albuquerque, New Mexico	1977	Yes
82	Newhall, Beaumont	Edward Weston: Omnibus	Gibbs M. Smith, Inc.	Salt Lake City, Utah	1984 unopened	
83	Newhall, Beaumont	Photography: Essays & Images	The Musuem of Modern Art	New York, New York	1980	
84	Newhall, Beaumont	Supreme Instants: The Photography of Edward Weston	Little, Brown and Company	Boston, Massachuets	1986	
85	Newhall, Beaumont	Beaumont Newhall, In Plain Sight	Gibbs M. Smith, Inc.	Salt Lake City, Utah	1983 Yes	Yes
86	Newhall, Beaumont	Airborne Camera	Hastings House, Publishers	Rochester, New York	1969	Yes

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87	Newhall, Beaumont	Airborne Camera	Hastings House, Publishers	Rochester, New York	Work Copy with 1969 Corrections	Yes
88	Newhall, Beaumont	The History of Photography: from 1839 to the Present Day	The Musuem of Modern Art	New York, New York	1949 Yes	Yes
89	Newhall, Beaumont	The History of Photography: from 1839 to the Present Day	Little, Brown and Company	Boston, Massachuets	1982	
90	Newhall, Beaumont	In Plain Sight, The Photographs of Beaumont Newhall	Gibbs M. Smith, Inc.	Salt Lake City, Utah	1983 Yes	Yes
91	Newhall, Beaumont, Nancy	T.H. O'Sullivan: Photographer	The George Eastman House, Inc.	Rochester, New York	1966	
92	Newhall, Beaumont, Nancy	Masters of Photography	George Braziller, Inc.	New York, New York	1958	
93	Newhall, Beaumont, Nancy	T.H. O'Sullivan: Photographer	The George Eastman House, Inc.	Rochester, New York	1966	Yes
94	Newhall, Beaumont, Nancy	Masters of Photography	George Braziller, Inc.	New York, New York	1958	Yes
95	Newhall, Nancy	The Daybooks of Edward Weston: I Mexico	Aperture, Inc.	Millerton, New York	1973	
96	Newhall, Nancy	The Daybooks of Edward Weston: II California	Aperture, Inc.	Millerton, New York	1973	
97	Newhall, Nancy	Paul Strand: Photographs 1915- 1945	The Musuem of Modern Art	New York, New York	1945	
98	Newhall, Nancy	P.H. Emerson	Aperture, Inc.	Millerton, New York	unopened	
99	Newhall, Nancy	Edward Weston: Photographer	Aperture, Inc.	Millerton, New York	1971	
100	Newhall, Nancy	Edward Weston: Photographer	Aperture, Inc.	Millerton, New York	1971	

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101	Newhall, Nancy	From Adams to Stieglitz: Pioneers of Modern Photography	Aperture, Inc.	Millerton, New York	1989		
102	Newhall, Nancy	Ansel Adams, The Eloquent Light	Aperture, Inc.	Millerton, New York	1963		
103	Newhall, Nancy	A Literacy of Images	Museum of Photographic Arts	San Diego, California	2008		
104	Newhall, Nancy	From Adams to Stieglitz: Pioneers of Modern Photography	Aperture, Inc.	New York, New York	1989	Yes	Yes
105	Newhall, Nancy; Strand, Paul	Time in New England	Aperture, Inc.	Millerton, New York	1980		Yes
106	Norman, Dorothy	Alfred Stieglitz: An American Seer	Random House Press, Inc.	New York, New York	1973		
107	Ovenden, Graham	A Victorian Album: Julia Margaret Cameron and Her Circle	Da Capo Press, Inc.	New York, New York	1975		
108	Parker, Olivia	Weighing the Planets	The Friends of Photography	Carmel, California	1987		
109	Penn, Irving	Moments Preserved	Simon and Schuster	New York, New York	1960	Has Box	
110	Peter, John; Skelton, Robin	The Malahat Review: An International Quarterly of Life and Letters. Number 14/April 1970	University of Victoria	Victoria, British Columbia, Canada	1970		
111	Porter, Eliot	The Place No One Knew: Glen Canyon on the Colorado	Sierra Club	San Francisco, California			
112	Porter, Eliot	From Henry David Thoreau "In Wildness Is the Preservation of the World": Selections and Photographs by Eliot Porter	Sierra Club	San Francisco, California		Yes	
113	Rosenblum, Naomi	A World History of Photography, Revised Edition	Abbeville Press Publishers	New York, New York	1989		
114	Samaras, Lucas	Phantasmata: Photo-Transformations	The Pace Gallery	New York, New York	1977		

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115	Sander, Gunther	August Sander: Citizens of the Twentieth Century: Portrait Photographs 1892-1952	The MIT Press	Cambridge, Massachus	1986
116	A. Sandweiss, Martha	Laura Gilpin: An Enduring Grace	Amon Carter Museum	Fort Worth, Texas	1986 Yes
117	Schwarz, Heinrich	David Octavius Hill, Master of Photography	George G. Harrap & Co., LTD.	London	1932 Yes
118	Serger, Helen	Art of the Bauhaus	La Boetie, Inc.	New York, New York	1982
119	Smith, Eugene W.	Let Truth be the Prejudice; W.Eugene Smith: His life and Photographs	Aperture, Inc.	Millerton, New York	1985
120	A. Sobieszek, Robert	Masterpieces of Photography: From the George Eastman House Collections	Abbeville Press Publishers	New York, New York	1985 Yes
121	Sontag, Susan	On Photography	Farrar, Straus and Giroux	New York, New York	1977
122	Sotheby's London	Man Ray	Sotheby's London	New York, New York	1995
123	Stebbins, Theodore E. Jr.; Keyes, Norman Jr.	Charles Sheeler: The Photographs	Museum of Fine Arts, Boston	Boston, Massachuets	1987 Yes
124	Stieglitz, Alfred	Georgia O'Keeffe, A Portrait by Alfred Stieglitz	The Metropolitan Museum of Art	New York, New York	Yes
125	Strand, Paul	Paul Strand: Sixty Years of Photographs	Aperture, Inc.	Millerton, New York	1978

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126	Stryker, Roy Emerson; Wood, Nancy	In This Proud Land: America 1935-1943 as seen in the FSA photographs	Galahad Books	New York, New York	1973	
127	Szarkowski, John	Callahan	Aperture, Inc.	Millerton, New York	1976	Yes
128	Szarkowski, John	Winogrand, Figments from the Real World	The Musuem of Modern Art	New York, New York		unopened
129	Szarkowski, John; Hambourg, Maria Morris	The Work of Atget, Volume 1, Old France	The Musuem of Modern Art	New York, New York	1981	
130	The George Eastman House	Beaumont Newhall	The George Eastman House, Inc.	Rochester, New York	1971	Yes
131	The George Eastman House	Beaumont Newhall	The George Eastman House, Inc.	Rochester, New York	1971	Yes Yes
132	The Museum of Modern Art, New York	Bill Viola: Installations and Videotapes	Eastern Press	New Haven, Connecticut	1987	
133	The Museum of Modern Art, New York	Alfred H. Barr, Jr., A Memorial Tribute	The Musuem of Modern Art	New York, New York	1981	Yes
134	The University of Wisconsin	125 Years through the Camera's Eye	The University of Wisconsin	Madison	1974	

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135	The Wilderness Society	Celebrating the American Earth, A Tribute to Ansel Adams		Washington, D.C.	
136	Trottenberg, Arthur D.	A Vision of Paris: The Photographs of Eugene Atget, The Words of Marcel Proust	The Macmillan Company	New York, New York	1963
137	Trustees of the Old Dartmouth Historical Society	Albert Cook Church: Photographs and a Biographical Sketch	W.W. Norton & Co.	New York, New York	1969
138	Walch, Peter; Barrow, Thomas	Perspectives on Photography	The University of New Mexico Press	Albuquerque, New Mexico	1986
139	Walch, Peter; Barrow, Thomas	Perspectives on Photography	The University of New Mexico Press	Albuquerque, New Mexico	1986
140	Weaver, Mike	The Art of Photography, 1839-1989	Yale University Press	New Haven, Connecticut	1989
141	Weibel, Peter; Auer, Anna	Erweiterte Fotografie	Die Wiener Secession	Germany	1981
142	Weston, Brett	Photographs	Amon Carter Museum/Anchor Printing	Fort Worth	1966
143	Weston, Brett	Master Photographer	Photography West Graphics	Carmel, California	1989 Yes
144	Weston, Brett	Voyage of the Eye	Aperture, Inc.	Millerton, New York	1975 Yes

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145	White, Minor	Mirror, Messages, Manifestations	Aperture, Inc.	Millerton, New York	1969 Yes
146	Whitman, Walt	Specimen Days	David R. Godine Publisher	Boston, Massachuets	1971
147	Yates, Steve	Poetics of Space: A Critical Photographic Anthology	The University of New Mexico Press	Albuquerque, New Mexico	1995