

APPLICATION FOR PRIVATE WORKS OF ART ON CITY PROPERTY IN DISTRICTS ZONED B-3, B-4 AND 'P'

NOTE: Application must be filed 6 weeks prior to desired placement date

1. NAME OF APPLICANT: Friends of the Center for Great Plains Studies
1155 Q St, UNL
2. ADDRESS: Lincoln, NE 68588-0214 DAYTIME PHONE NO.: (402) 472-6220
3. NAME, ADDRESS AND TELEPHONE NUMBER of responsible contact person:
Reece Summers, Curator, Great Plains Art Collection, above address, (402) 472-0599
4. DETAILED DESCRIPTION of work of art including size, material, etc., and any supporting, anchoring, or enclosing structure for work of art; attach photograph or sketch:
Life size bronze sculpture of explorers Lewis & Clark interacting with an Indian and his son,
which will be secured on 2-3 sandstone bases (each 4") on a concrete foundation, which when
placed together will measure approximately 5' x 8' with approx. height of 7'.
Please see attached photographs of model, artist's description, artist's biography, etc.
5. TYPE AND FREQUENCY of maintenance required and performed by whom:
Staff of the Great Plains Art Collection will monitor condition of sculpture, prepare a
condition report annually, wax it every 6 months, and clean per artist's instructions.
Please see attached.
6. ATTACH EIGHT(8) COPIES OF A SITE PLAN DRAWN TO SCALE showing the exact location of the work of art and any supporting structure; include dimensions of art piece and distance from all existing structures, sidewalks, curbs, etc.
7. DATES requested for use of public property described above: From: 9/11/04 To: 9/11/05
8. CONSENT AND RELEASE FORM attached: Yes
9. ATTACH CERTIFICATE OF INSURANCE. (Applicant shall at all times maintain a policy of liability insurance with a minimum combined single limit of \$1,000,000 aggregate for any one occurrence. The insurance will name the City of Lincoln as an additional insured.)

HOLD HARMLESS AGREEMENT

Providing that the aforesaid requested use is granted, the Applicant, agrees to save and keep the City of Lincoln free and harmless from any and all loss or damages or claims for damages arising from or out of the use described above or the discontinuance of such use for which a permit may be granted. Applicant further understands this use of space is temporary and that applicant does not acquire any right, title, or interest in such space and may be required by the City at any time to vacate all or any part of the space covered by this application. Applicant further agrees to promptly remove any work of art placed under this permit, or to reimburse the City for the cost of moving such work of art and the Applicant will have no recourse against either the City or its officers or agents for any loss or damage occasioned by Applicant being required to vacate all or any part of the public space which said Applicant has been granted permission to use.

I have reviewed and accept all of the guidelines contained in the ordinance.

Signature: Jan Stubbins Date: 5/16/03

Legal capacity of Applicant: Director, Center for Great Plains Studies

Additional comments by Applicant: _____

FOR CITY USE ONLY

APPROVED:

Fee: 1st Year - \$50.00
Each Renewal -\$25.00

Public Works Parks Other: _____

Urban Design Committee Planning

(See attached reports)

udp\wp\privateart2

CONSENT AND RELEASE

IN CONSIDERATION of the City of Lincoln granting Friends of the Center for Great Plains Studies permission to exhibit the undersigned's life-size sculpture of Lewis & Clark by George W. Lundeen (hereinafter "work of art") upon public right-of-way of the City of Lincoln, the undersigned hereby consents to said exhibition and hereby releases the City of Lincoln and its agents, officers, servants, and employees of and from any and all liability, claims, demand, actions, and causes of action whatsoever, arising out of or related to any loss, damage, or injury to any of the undersigned's work of art while said work of art is on exhibit upon said public property or public right-of-way.

The undersigned further consents to and agrees that the City may copy, reproduce, duplicate, broadcast, cablecast, display, portray, or utilize such work of art in any manner, in any form, or in any forum that it deems appropriate without paying any compensation to the undersigned, but with the express understanding that the granting of such rights to the city shall in no way waive or affect the copyright rights of George W. Lundeen.

In signing the foregoing Consent and Release, the undersigned hereby acknowledges and represents:

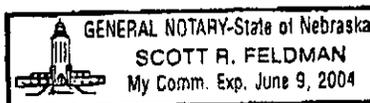
- (a) That he/she elects voluntarily to allow Friends of the Center for Great Plains Studies to exhibit his/her work of art upon public property or public right-of-way of the City of Lincoln, Nebraska.
- (b) That he/she voluntarily assumes all risk of loss, damage, or injury to his/her work of art while such work of art is on exhibit upon said public property or public right-of-way.

(c) That he/she has read the foregoing Consent and Release, understands it, and signs it voluntarily.

IN WITNESS WHEREOF the undersigned has signed this Consent and Release this _____ day of 16 May, 2003.

Paul Stubbins

STATE OF NEBRASKA)
)
COUNTY OF LANCASTER)



The foregoing instruments was acknowledged before me this 16 day of May, 2003, by Scott Feldman.

Scott Feldman
Notary Public

LUNDEEN

April 15, 1999.

Center for Great Plains Studies Art Collection
University of Nebraska-Lincoln
215 Love Library
Lincoln, NE 68588

To the Committee for the Celebration of the Exploration of Lewis & Clark:

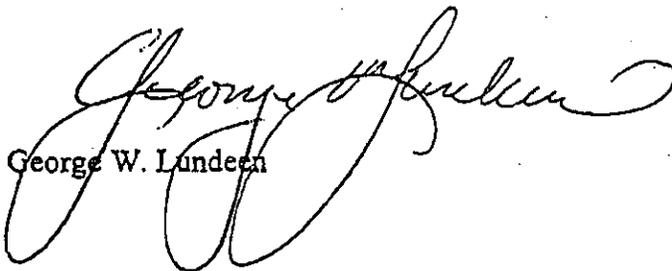
Enclosed are photos of a composition for the Lewis & Clark sculpture. The model in the photo is very rough and in need of your imagination. I always strive to avoid any detail at this junction in order to strengthen the overall feel of the composition.

This composition consists of four figures and a dog. The dog is Lewis' Newfoundland. The Indian has just drawn a map in the sand with his spear and is pointing to a place on the map, which Clark is holding. Lewis is wearing the three cornered hat of the period and he and Clark are dressed in buckskins. Around the backside of the sculpture the viewer will discover an Indian child with an unfurled American flag (15 stars & 15 stripes) that the leaders of the expedition have just given his father. Details such as dress, headgear, guns, etc. have all been researched through my own study with help from Mr. Moulton, Mr. Ambrose and others. I will strive to make all as authentic as possible. I do carry with me at all times my *Artistic License* but do not anticipate its use on this project!

Landscaping will be the key to this piece's visibility as I foresee them being lifesize. I envision them in a natural setting with plants, trees, and some large rocks around to create an inviting environment.

Please let me know if you have any questions.

Sincerely,



George W. Lundeen

WHO'S WHO IN AMERICAN ART, 1997-98, p. 749

LUNDEEN, GEORGE WAYNE
SCULPTOR

b Holdrege, Nebr. Aug 26, 48. *Study*: Hastings Col, Nebr, BA, 71; Univ Ill, MFA (sculpture), 73; Accademia de Belle Arte, Italy, 74. *Work*: Nebr State Collection, Kearney; People's Republic China, Nat Gallery, Peking; Holdrege, Nebr; Botanical Gardens, Wichita, Kans; City of Carmel, Calif. *Comn*: Life-size sculpture, Ben Franklin, Univ Pa, 87; life size sculpture, Gene Sarazen, Atlanta Nat Golf Course, 88; two life size sculptures, Nike Inc, Beaverton, Ore, 90; 16 foot aviator, Jeppesen, Denver Intl Airport, 93; lifesize Robert Frost, Dartmouth Col, 96. *Exhib*: North Am Sculpture Exhib, Foot Hills Art Cir, 79-86; Allied Artists Am Ann, New York, 80-87; Nat Sculpture Soc Ann, New York, 80-88; Nat Acad Design Ann, New York, 80-86; Am Western Art Exhib, Peking Arts Gallery, China, 81. *Pos*: Fulbright-Hays Scholar, Florence, Italy, 73-74; artist-in-residence, Tex A&M Univ, 78-79. *Awards*: Silver Medal, Nat Sculpture Soc, 82; Gold Medal, Nat Acad Design, 82; Art Castings of Colorado Award, NAm Sculpture Exhib, 83; North American Sculpture Exhib, John Cavanaugh Memorial Award, 86; Allied Artists Members & Associates Award, 87. *Bibliog*: John Jellico (auth), G W Lundeen, Artist of the Rockies & Golden West, spring 81; M Lantz & T Morgan (auths), The western art of 12 western sculptors, Nat Sculpture Review, fall, 80; Libby James (auth), George Lundeen, Southwest Art, 5/83; Judy Hughs (auth), the Sculpting Lundeens, Southwest Art, 8/93. *Mem*: Nat Sculpture Soc; Allied Artists Am; Nat Acad Design. *Media*: Bronze, Terra-cotta. *Dealer*: Loveland Sculpture Gallery 338 E 4th St Loveland CO 80537. *Mailing Add*: 338 E Fourth St Loveland CO 80537

**MANTIE FIELDING DICTIONARY OF PAINTERS, SCULPTORS
& ENGRAVERS, 1986, p. 156**

LUNDEEN, GEORGE W.

Sculptor. Born in Holdrege, Nebraska, in 1948. Studied art at Hastings College; University of Illinois, MFA sculpture; in Italy on Fulbright-Hays grant. Taught briefly in Nebraska; artist in residence, Texas A & M. Has exhibited at National Sculpture Society; National Academy of Design, New York City. Member of National Sculpture Society. Specialty is statuettes of people; works in bronze and terra-cotta. Reviewed in *Artists of the Rockies*, spring 1981. Represented by Driscoll Gallery, Denver, CO; O'Brien's Art Emporium, Scottsdale, AZ. Address in 1982, Loveland, Colorado.

ATTACHMENT FOR NO. 5.

Directions for cleaning and maintenance of bronze sculpture:

Supplies:

- Water hose or 5 gallon buckets
- 1 gallon vinegar.
- 2 dishwashing brushes with plastic bristles
- Dawn dishwashing detergent
- G.I. scrub brush with plastic bristles
- Johnson's Paste Wax
- Can Kiwi shoe polish-black
- Can Kiwi shoe polish-brown
- 3 1" to 2" natural bristle paint brushes (the kind you would buy in a paint store)
- Soft cotton cloths

Wash the piece with warm water and dishwashing detergent. Rinse thoroughly. If there are water spots, mix a cup of vinegar with a cup of water and scrub the spots with that solution. This should remove any spotting. Rinse and dry. If there are any spots that may have a grown a green color, the vinegar solution should take the green off, rinse thoroughly and wax the surface. If some spots still persist, mix some brown shoe polish with Johnson's Paste Wax and proceed with a brush to cover the spots with wax. Let the wax set up, then rub back with a soft cotton cloth.

Sometimes as the patina is both black and brown, you may need to augment the color with the black and brown shoe polish mixed with Johnson's Paste Wax. The final step to protect the patina, is to apply a coat of paste wax over the whole piece. Let the wax set up. Rub back with the cotton cloth. Repeat with a second coat of paste wax. If you have any trouble whatsoever, be sure and give us a call.

The Lundeens recommend waxing bronzes placed outdoors every 6 months, and cleaning according to above annually as needed.

LUNDBEN STUDIO

338 EAST FOURTH STREET, LOVELAND, COLORADO U.S.A. 80537 TELEPHONE: 970/669-7176 FAX 970/669-9493



OLD CITY HALL
920 'O' STREET
LINCOLN, NE 68508-3624
402.434.2787
E-MAIL: artscene@navix.net

June 2, 1999

Carole Eddins
Urban Development Department
129 North 10th Street
Lincoln, NE 68508

Dear Carole,

We have reviewed the application submitted by the Friends of the Center for Great Plains Studies who are commissioning a sculpture of explorers Lewis and Clark and an Indian and his son for a site outside the new UNL Foundation Building at 12th and Q Streets. The building will house the Great Plains Art Collection, the Center for Great Plains Studies, and the Lentz Center for Asian Culture. We feel that this proposed sculpture and placement are appropriate and we support the application.

The life-size sculpture in bronze will be situated opposite the building entrance but not impede pedestrian traffic nor traffic lines of sight. As the Center has overseen publication of the new scholarly edition of the Lewis and Clark journals, the subject of the sculpture is highly fitting. The commissioned artist, George Lundeen, has achieved a national reputation as a masterful sculptor of historical personages and promises to create an outstanding and inspiring piece that will be enjoyed for years by citizens of and visitors to Lincoln.

Sincerely,

James Estes
President, Board of Directors

Margaret Berry
Executive Director



University of
Nebraska
Lincoln

Center for Great Plains Studies Art Collection
215 Love Library
P.O. Box 880475
Lincoln, NE 68588-0475
(402) 472-6220

May 27, 1999

Fax: 402-472-2960

FAX to: 472-6803
Gregory P. Clayton, Director, Risk Management & Benefits
128 501 Bldg.
City Campus 0244

Dear Greg:

The Friends of the Center for Great Plains Studies is in the process of commissioning a life-size sculpture of Lewis and Clark and an Indian and his son, by the nationally recognized artist George Lundeen that is intended for a site outside the new building being constructed at 12th & Q Streets that will house the Great Plains Art Collection, Center for Great Plains Studies, and Lentz Center for Asian Culture. We are working on obtaining approvals from the City of Lincoln that are needed to situate this special work of art.

The City has an application form (faxed on separate page) that requires, among other things, an attached Certificate of Insurance. I spoke with Carol Eddens (441-7861) of the City's Urban Development Dept. about the difficulty of obtaining a certificate for a work of art that is being commissioned but does not yet exist, and she agreed that a letter from your office that stated that the sculpture would be covered by the University of Nebraska's insurance policy would fulfill this requirement for the application. The artist estimates that the value of the piece would be approximately \$150,000 (assuming that more than one is sold, which is highly likely given the subject.) He has sent photographs of a compositional model.

Could you or Dick Wood's office write such a letter? Carol has worked with Dick Wood in the past and mentioned this as a possibility, but I thought that you seemed the logical person to approach first. I am trying to get the application completed as soon as possible, because it will take 6-7 weeks for the City Council and Urban Development Committees to review the case. In the meantime, the artist is waiting for approval before investing more work on the piece. I am also going out of town on vacation beginning next Friday, June 4th. If at all possible, I would like to complete the application before then. Please call, fax, or email me if you have any questions.

Thank you in advance for your help.

Sincerely

A handwritten signature in cursive script that reads "Martha H. Kennedy".

Martha H. Kennedy
Curator

<email: mhk@unlinfo.unl.edu>

Page 1 of 2



University of
Nebraska
Lincoln

Department of Human Resources
Benefits & Risk Management Section
Rm. 128 501 Bldg.
P.O. Box 880244
Lincoln, NE 68588-0244
(402) 472-2800
FAX (402) 472-6803

May 28, 1999

To: Carol Eddens

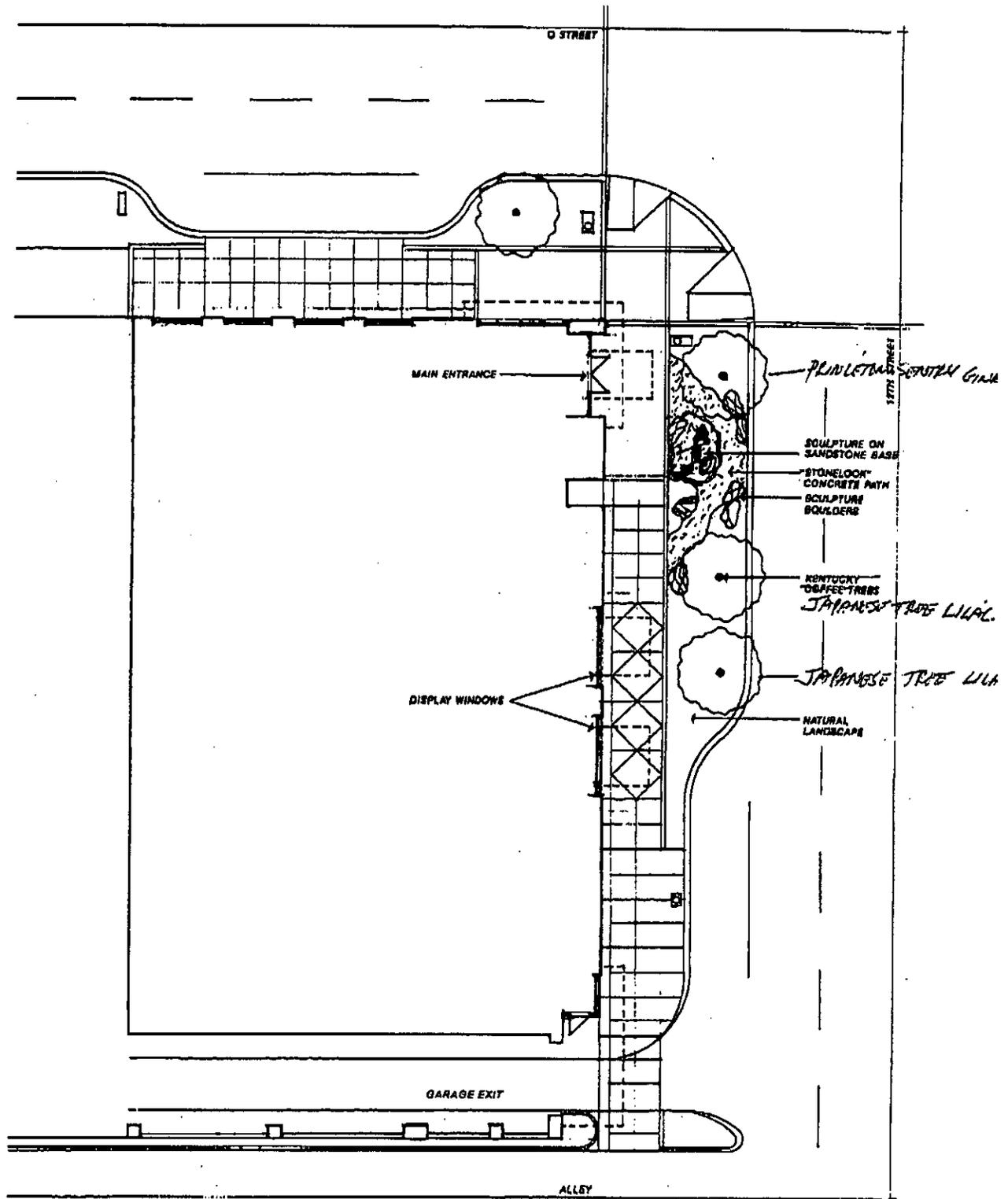
From: Gregory Clayton, Director Risk Management and Benefits

A handwritten signature in black ink, appearing to read 'Greg Clayton', written over the printed name.

Re: Proposed sculpture

With regard to the application for private works of art on city property the University would have in place \$1,000,000.00 of Self Insured liability coverage at the time the sculpture would be put in place. The University would name the city of Lincoln as an additional insured. In addition the University would also have property coverage. At the time the sculpture is put in place the University will provide the city with a certificate of insurance verifying the above information.

If you have questions or need additional information please call me at 402-472-8044.



SCULPTURE PROPOSAL

**CENTER FOR GREAT PLAINS STUDIES
UNIVERSITY OF NEBRASKA FOUNDATION GALLERY COMPLEX**

SCALE: 1/8" = 1'-0"

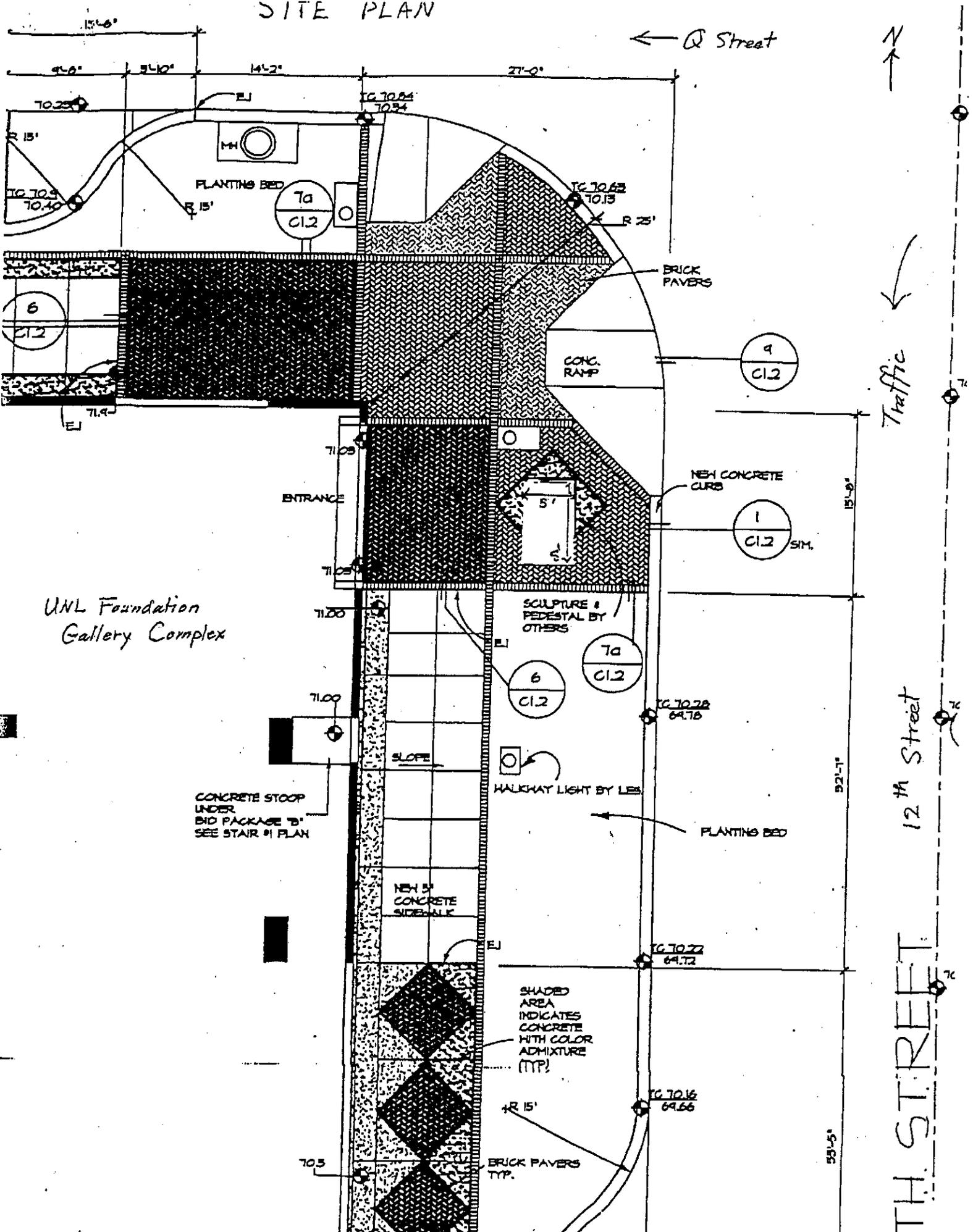
14 JULY 1999

LD9019



Site plan by Daniel A. Spiry, Bahr Vermeer & Haecker.

SITE PLAN



UNL Foundation
Gallery Complex

CONCRETE STOOP
UNDER
BID PACKAGE 'B'
SEE STAIR OF PLAN

SHADED
AREA
INDICATES
CONCRETE
WITH COLOR
ADMIXTURE
(TYP)



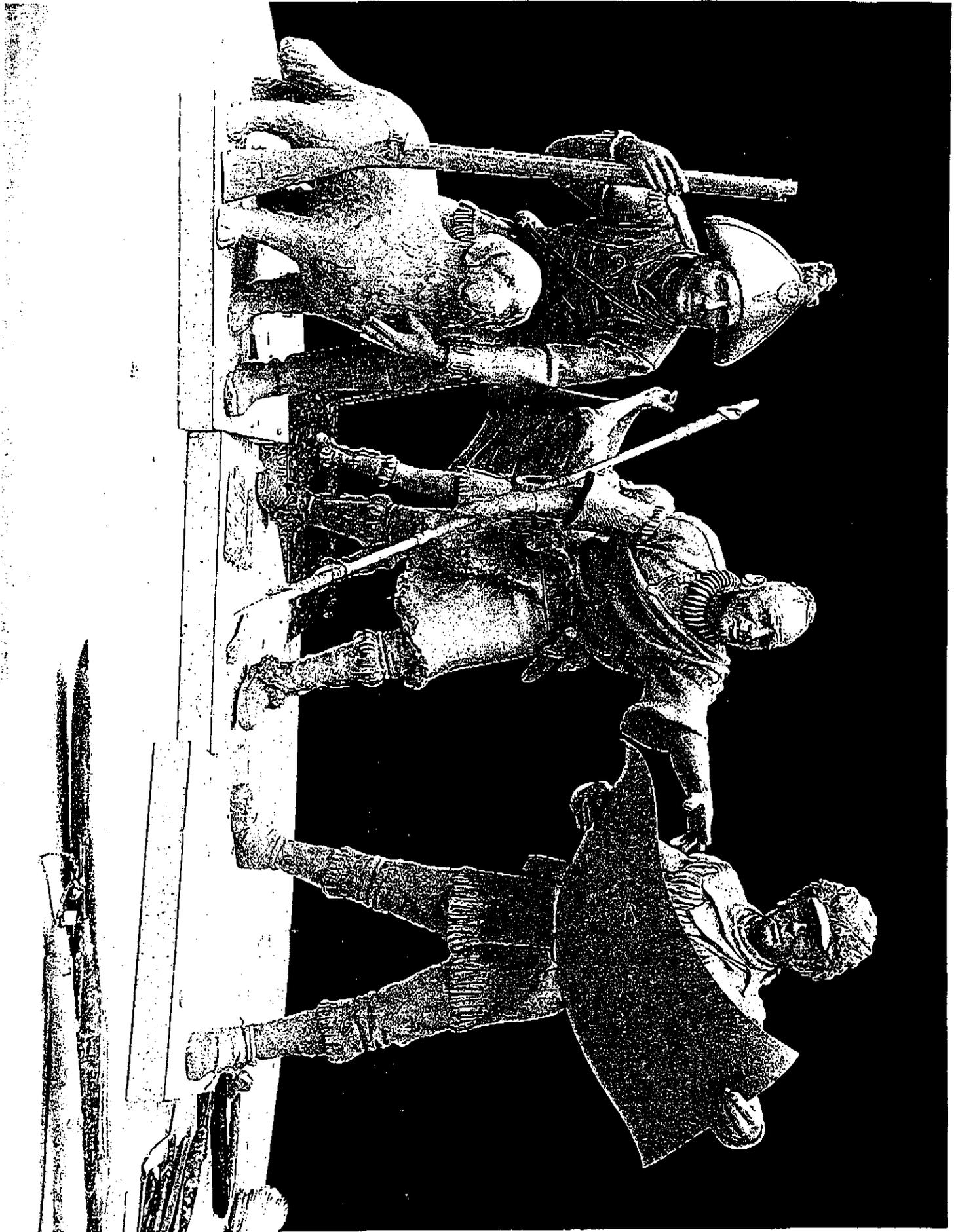
← Q Street

Traffic ↓

12th Street

TH STREET

7c



**Edward Zimmer**

08/10/2003 04:22 PM

To: Jeff A Cole/Notes@Notes

cc:

Subject: Center for Great Plains sculpture proposal

Jeff,

I believe that the Urban Design Committee's recommendation of 1999 still applies, as the subsequent discussions of 12th Street just serve to strengthen its position as an arts corridor.

From a Planning Dept. perspective, our guide--the Comprehensive Plan--emphasizes Downtown's continuing role as the mixed use center of the community, with unique positions in entertainment and culture. The Great Plains Art Collection and Center for Great Plain Studies are major assets in this community strategy and their proposal to acquire and share public art is entirely consistent with the Comprehensive Plan.

Ed Zimmer
Historic Preservation Planner
Lincoln Planning Dept.
(402)441-6360
ezimmer@ci.lincoln.ne.us



99-7-7.wpd

MEETING RECORD

NAME OF GROUP: Urban Design Committee

DATE, TIME AND**PLACE OF MEETING:**

Wednesday, July 7, 1999, 3:00 p.m., County-City Building,
Room 206, 555 South 10th Street, Lincoln, Nebraska

MEMBERS AND OTHERS**IN ATTENDANCE:**

Members: Kim Todd, Eames Irvin, Gordon Scholz, Dennis Scheer, and Joanne Kissel

Others: Dan Spiry (BVH Architects), Carole Eddins, Ron Cane, and Dallas McGee (Urban Development), Cliff Hollestelle, Linda Clare, Martha Kennedy, and James Stubbendieck (Center for Great Plains Studies), Polly McMullen and Ken Hake (Downtown Lincoln Association), Linda Hershberger (Public Works), Ed Zimmer and Missy Minner (Planning Dept.)

STATED PURPOSE**OF THE MEETING:**

Regular Meeting of the Urban Design Committee

Review of proposed sculpture at 12th & Q Streets.

Ron Cane explained that the City received a sculpture of Lewis & Clark as a gift of public art. The proposed location of the sculpture is in the planting bed on the southwest corner of 12th & Q Streets. This will allow the appropriate vegetation and rocks to be incorporated into the display, as requested by the sculptor. Representatives from the Center for Great Plains were present to answer the Committee's questions.

Zimmer mentioned the context of the Committee's involvement is the ordinance by which the City receives gifts of public art which includes comment from the Urban Design Committee and a recommendation on whether or not it is something the City could use.

Dan Spiry pointed out that this project is unusual because of the mix of people involved. Sinclair Hille and Bahr, Vermeer, & Hecker are doing the building on the corner for the University of Nebraska Foundation. The City is doing the parking garage and the right of way improvements. Davis Design is working for the City on the right of way improvements. The life size bronze sculpture is proposed to be located in the planting area along 12th Street. The landscaping will establish the feeling of being "out on the prairie," it will be an undulating landscape of native materials with large boulders. The sculpture is 4-sided, so a path, simulating flagstone or sandstone, will be provided for viewing the sculpture. Boulders will be used to build up a 12 inch differential from the sidewalk and could become incidental benches. It has been suggested that the street trees be changed to something that feels more native, perhaps gingko trees.

The width from the building to the curb is 25 feet. There is a regulation is that nothing sit within 6 feet of the curb. The boulders are shown in that 6 foot zone, they hope to consider those boulders a replacement for shrubs. Public Works is aware of the possible placement of the boulders and have requested they be viewed and described as part of the artwork.

Scheer wondered if the torn notebook will remain on the corner and how that relates to this. Spiry thought it would and added that it is hard to tie everything together. Once they saw the character of this sculpture, they agreed that it should not be placed on a brick plaza on the corner. The sculpture may not be noticed while going by on Q Street, it is more of a pleasantry while going by on 12th Street.

Todd asked if they are concerned that people heading south on 12th will stop and drop people off even though they aren't supposed to. Spiry suggested that additional boulders could be added to make it more difficult to stop. Todd felt they should consider doing that and make sure that it is not a hazard. She also suggested that they not bother with landscaping between the path and the sculpture because the sculpture is to be seen on 4 sides and it will be better to keep the green outside of the path.

Scheer wondered if the sculpture should set in a more natural kind of plain or if that mattered to the artist. Sometimes sculptures should not sit on something hard. Todd agreed, but in a public place in the right of way, they may wind up having dirt around it. Spiry pointed out that would be appropriate because the image is an explorer is looking at a map and a Native American etching an image in the sand with his spear. Todd suggested some planting pockets could be placed in the corners where people are not likely to cross.

She further suggested they use native trees, for example, Kentucky Coffee trees. Spiry pointed out that Davis' contract with the City would include redoing the landscape design. Todd also felt that true native prairie will not be possible because of the shade pattern. She suggested they go with a naturalized theme.

Spiry indicated the sculpture will be lighted on the primary side from above by lights on the awnings or the soffit on the building. They could explore attaching something to the street light pole. The 2 pedestrian lights shown on the original plan were out of character, so they were eliminated. However, there will be pools of light from the building along the sidewalk.

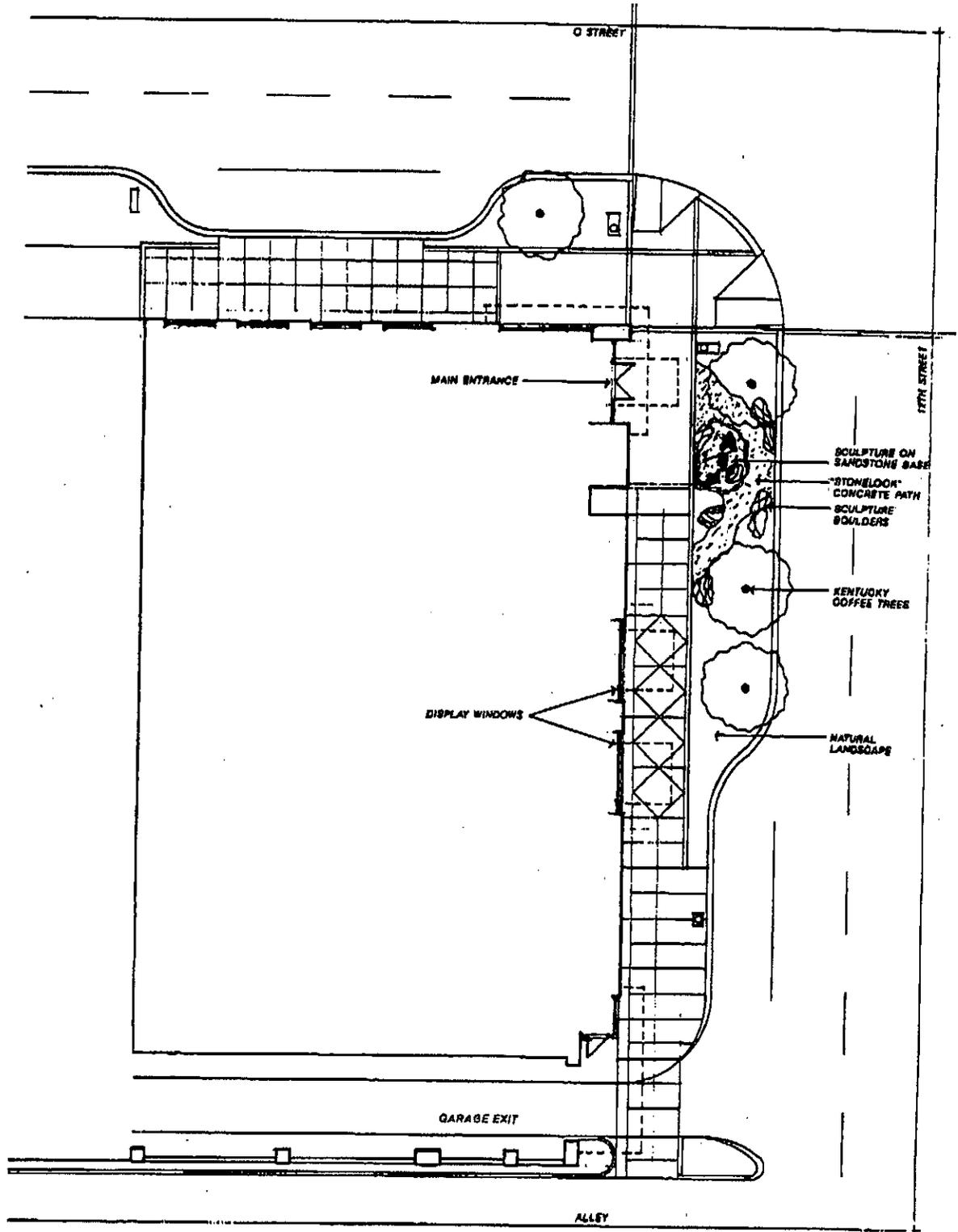
Todd suggested they not use flagstone, because it is not native. Spiry doesn't know if sculptor intended the base under the sculpture to be stone or synthetic, perhaps it could be sandstone. Ideally the path would be the same material and the material would need to be finished.

Scholz asked if there would be a label or plaque describing the sculpture. Spiry was not sure if that has been addressed yet. The sculpture would be taken care of by Great Plains as part of their art collection and DLA will take care of the landscaping.

Todd moved approval with the following suggested changes: the tree species, connection of the path to the curb, extension of the pavement to the sculpture base, and a careful choice of plant material; seconded by Scholz. Motion carried 5-0.

Briefing on Q Place "notch" project.

Dallas McGee explained that in June, the Mayor selected Applebee's as the developer for the Q Place notch. Mayor Young put together a selection committee to identify concerns about the relationship of the Applebee's building to the garage itself. Mayor Wesely recommended they be selected based on the Urban Design Committee approving the design. He asked the Committee to look at the materials and their color in relation to the garage, the general size and configuration of the building with respect to the huge garage behind it, and the improvements in the street scape and sidewalk area in front of building.



SCULPTURE PROPOSAL

**CENTER FOR GREAT PLAINS STUDIES
UNIVERSITY OF NEBRASKA FOUNDATION GALLERY COMPLEX**

SCALE: 1/8" = 1'-0"

14 JULY 1999

L00070



Site plan by Daniel A. Spiry, Bahr Vermeer & Haecker.

HOLD HARMLESS AGREEMENT

Providing that the aforesaid requested use is granted, the Applicant, agrees to save and keep the City of Lincoln free and harmless from any and all loss or damages or claims for damages arising from or out of the use described above or the discontinuance of such use for which a permit may be granted. Applicant further understands this use of space is temporary and that applicant does not acquire any right, title, or interest in such space and may be required by the City at any time to vacate all or any part of the space covered by this application. Applicant further agrees to promptly remove any work of art placed under this permit, or to reimburse the City for the cost of moving such work of art and the Applicant will have no recourse against either the City or its officers or agents for any loss or damage occasioned by Applicant being required to vacate all or any part of the public space which said Applicant has been granted permission to use.

I have reviewed and accept all of the guidelines contained in the ordinance.

Signature: *Jan Stubbendick* Date: 5/16/03

Legal capacity of Applicant: Director, Center for Great Plains Studies

Additional comments by Applicant: _____

FOR CITY USE ONLY

Fee: 1st Year - \$50.00
Each Renewal - \$25.00

APPROVED:

Public Works

Parks *Steve Schmidt*

Other: _____

Urban Design Committee

Planning

(See attached reports)

udplwplprivateart2

5/29/03

Street trees on 12th Street are of such a small size that trimming will not be necessary in order to display work of art.

**Harry B Kroos**

06/26/2003 09:12 AM

To: Jeff A Cole/Notes@Notes
cc:
Subject: Re: Arts Project **Jeff:**

We do not have a conflict with the proposed Lewis & Clark Art Sculpture located at 12th & 'Q'.

Harry Kroos
Jeff A Cole**Jeff A Cole**

06/24/2003 11:22 AM

To: Harry B Kroos/Notes@Notes
cc:
Subject: Arts Project

Harry - As we discussed, I need you to email me an approval for the proposal submitted by the Great Plains Center. Let me know if you have any questions. Thanks

Jeff Cole
Community Development Program Specialist
Urban Development Department
City of Lincoln
(402) 441-7866