

# ART ASHES

Options and Processes  
for Fine Art Dispersal

*by Lawrence DeJong*

***“Art Ashes”***  
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## **Introduction**

My wife and I are both artists and collectors of fine art. We have exhibited our work over the years in galleries, museums, and other locations, won awards and have sold a good number of pieces. The art that we collect is by artists with the same degree of recognition, if not greater. In living with these creations, they become very special to us, a part of our daily life and spirit. Some may have considerable monetary value as well. In a way, we are the custodians of these creations.

The inevitabilities of downsizing, relocation, and death will mean our artworks must move on into an unknown future. Among those who do not own much art themselves, they may find that they have inherited a number of pieces, or they may be a friend or an executor of an artist’s or collector’s estate. I have been in all of these positions, and the responsibility of a body of artwork is daunting. It felt to me like a crime to destroy artwork, and so I started looking for answers.

These are the people who need those answers:

- People who have been buying art over the years and find themselves suddenly with a collection.
- The artist who has an inventory, large or small, of their work.
- The families of artists and collectors, who may or may not be knowledgeable about art, but need to disperse a collection.
- Art organizations—local artist guilds, regional art groups, art associations—who are often asked for help with this task.

In assembling this guide, I spoke with gallery owners, collectors, artists, photographers, museum curators, and others in the visual art community over the past several years. Special thanks go to Juliet Feibel, Nancy Burns, Stephen DiRado, Ken Kahn, Aminadab Cruz Jr, E.Linda Poras, Paula and Gary Bonetti, Mike Foster, Nancye Araneo, the local library directors I interviewed, and my wife, Pamela.

The landscape of estate planning, arts organizations and institutions, and their websites and contact information are all always ever-changing. I hope to hear your personal experiences so that I may integrate them into future editions. Please send all inquiries regarding this document, or a brief case history experience, to the following: [fineartdispersal@gmail.com](mailto:fineartdispersal@gmail.com). Please include your preferred contact information.

## I. Getting Started

What is important to know about the work? What are the options for dispersing it? Where and how do you start? Where do you turn for advice or suggestions? Art Ashes provides a range of initial answers to these questions and closes with some local case histories.

### What do I need to know before I start?

Artists who keep studio records will have the information they need. Those that don't yet keep records can use the guide below to create records for future use.

For collectors, this data is what you need to know about every artwork you'd like to disperse:

- The artist's full name
- Title of the work
- The year it was created
- The edition number if an original graphic print (etching, lithograph, woodcut, etc.).
- Dimensions (in inches, height by width by depth)
- The medium, and if appropriate, the substrate. The medium is the material with which the artwork is made (oil paint, graphite, ceramic, and so on), and the substrate is the surface for two-dimensional art (canvas, paper).
- Specific to photographs: what kind of print is it? (example: silver gelatin, platinum, inkjet, cyanotype, lambda, ciba-chrome, and so on)
- Is it framed, and if so, in what?

It is helpful to be familiar with the artist's life, style of the piece, and body of work to know where this piece fits in to the artist's body of work, but not necessary.

The *condition* of each piece should also be part of its record:

- *If the piece is a work on paper:* is there any foxing, rippling, folds, tears, light struck, fading, yellowing, mold, etc.? (There are remedies for some of these conditions.)
- *If the piece is a photograph:* was it printed by the photographer or an authorized edition print from their estate? Is it signed and dated?
- *If the piece is a painting or 2D work of art:* does it have any imperfections (retouched /repaired, surface damage or other anomalies), and what is the condition of the frame?
- *If a 3D piece:* what is the surface and/or material condition, structural issues, size and presentation (pedestal, mounting, etc.)?

The *provenance*—the history of how the work was acquired—of each piece should also be part of its record:

- If purchased, be sure to include a bill of sale, name of person or organization from whom purchase was made, as well as the date of purchase.
- If a gift, include information about who gifted it, when, and any circumstances of the gift.
- For significantly older works, information about previous owners is also part of an artwork's provenance and should be included.

The *artwork's history of public viewing*:

- Auction and exhibition history, if any.
- Has the artwork appeared in any publications? If so, include the title of publication, volume and issue number, page number, and date of publication.

Lastly, photograph each artwork, front and back, and make sure the details of any edition numbers, dates, signature, and conditions are clearly visible.

### **Now, make a plan.**

Every collection is different, and everyone who disperses one needs a plan. That plan or goal can, and if possible, should be determined in part by the size of the collection and the wishes of the artists. Develop your approach to the task with these questions:

- What is the community in which this collection should be dispersed?
- What is the rough time frame, start to finish? (Be flexible with this part.)
- How much time and money are you willing to devote to this?
- Whom would you choose to assist you?
- If the works are for sale, how do you determine the prices?
- What do you wish to do with the last few unclaimed pieces?

## **II. Dispersal Options**

### **Option 1: Donation**

#### **Personal gifts**

Gifting the work to family, friends of the artist, or others you know who would like a piece is the most obvious and perhaps first consideration. You might contact individuals who may want a piece and arrange for them individually to view works and make selections. There are different possibilities for this option (case histories 1 and 2 in the appendix provide some variations).

This option is a potential for a few works or many works, especially if all the work is by one person and the potential recipients are familiar with, or somehow connected to, the artist and their work.

#### **Museums**

Some museums are willing and able to receive art, and you must research, locate, and approach appropriate institutions. The museum option is demanding, involved, and potentially time-consuming and expensive, but it may be the best for your situation.

It is important to remember that when a museum accepts a donation, it's also undertaking real expenses in their archival storage and preservation, cataloging, and exhibiting. Works on paper are the least expensive to store and maintain; large paintings and especially sculpture/3D work are the most expensive.

The essential first step to gifting art to a museum is locating an appropriate museum or museums to approach. The American Alliance of Museums website (<https://www.aam-us.org>) allows you to find museums by your city or state, as does Wikipedia. Here are some basic considerations when you look at your possibilities:

**Type:** Museums may be comprehensive (major and minor), university-based (both comprehensive and specialized), regional, local, general with specialization, and highly specialized with a narrow focus.

**Size:** How large is the museum? Is it local and very small, a small to medium-sized, regional museum, or a major, comprehensive museum (e.g., Boston Museum of Fine Arts, Worcester Art Museum)?

**Focus:** Many museums have a particular focus or specialization, and this might be especially attractive depending upon the nature of the piece(s) for donation. Some museums have very specific parameters about the work and/or the artist.

Most museums will have a document available, either online, by telephone, or available in person that outlines their donation/gift policy. Start there.

If a museum chooses to accept your donation, it is sometimes possible to attach one or several conditions to this acceptance on your part. You may request that your name be part of the exhibition label. You may receive special status regarding membership, invitation to special events, or some other perk. This may be dependent on the scope and size or importance of the donation.

Once the museum owns the piece, it is out of your control. They may do with it as they please. You may ask to place a restriction that the piece never be sold, but that may negatively affect their willing to accept the work.

### **The steps involved in museum donations:**

1. Collect all the documentation described above. Provenance is especially important.
2. Choose the museum and contact person/curator and request to send them this information, along with photograph of each piece.
3. If interested, they will contact you and want to see the work and how it has been housed. This may require a visit to your house.
4. Museums will likely require a formal written appraisal by an art appraiser. This may be undertaken by the museum or an independent art appraiser. If the museum requires you to provide the written appraisal, you must hire a nationally registered independent appraiser and pay for their services. They work on an hourly basis which is generally open-ended and not based on their determination of the piece's value. When choosing an appraiser, research the formal training, experience, specialization, fees, expected appraisal completion date, and which one of the three major appraiser associations they

belong to: Appraisers Association of America (AAA), International Society of Appraisers (ISA), or the American Society of Appraisers (ASA).

5. All information will then be submitted to a museum committee for review and acceptance or rejection. Factors considered in this decision will include whether the piece adds to the quality and scope of the museum's collection, and if the museum has the space and money for archival storage. The conservation department will also examine the work.
6. If the museum decides to accept the piece, they will arrange for its transport to the museum. This will require special handling, and the museum will take care of this.

Not all museums approach art procurement in this thorough of a fashion, but at least some of the above will be part of the process. Case history #5 in the appendix gives an account of a donation to a major museum involving almost two dozen pieces of art.

### **The Library**

Local libraries do not regularly accept donations of art, but there are instances when a local library is an appropriate institution to approach with an art donation. Questions to consider:

#### **Is there a community connection to the artist or the artwork?**

Most libraries will only accept work that has a tie to the town, or county, in which they reside. This might include any or all of the following:

- The artist lived in the town and received a certain level of recognition for his or her work.
- The subject matter is to be found in the town.
- There is a possible historical link to the town.
- The artist may have had an affiliation with the library.

#### **Other questions to consider:**

- What kind of art is it? Framed work and realistic artwork seem the most palatable to libraries surveyed. Three-dimensional work is less likely, for space reasons.
- What kind of exhibition space does the library have? Is it secure, visible, and trafficked?
- How will the art be maintained or cared for? Is there a dedicated and knowledgeable person (library staff or library volunteer) to oversee the collection?
- Is the collection documented and appropriately labeled?

The library may have a policy statement regarding donations. If so, review it for a detailed explanation of the process they follow. Collect all the artwork record information and be ready to present it when you make your donation request.

Finally, libraries are most likely to accept work that is properly framed or, if three-dimensional, comes with a base, pedestal, or vitrine. The work should be exhibition ready, require little or no maintenance, not be particularly fragile or delicate, and be archivally preserved.

#### **Additional institutions that may accept donations:**

- A local town/public building (historical society, senior center or community center, recreation center, town hall).
- Assisted living or nursing home (especially if there is a connection with the artist or family).
- The high school, college or university that artist attended.
- Local businesses.
- Local art association (*only* if it holds a permanent collection of work done by members, past and present).
- A town organization that has a building that the artist or person was connected to in some way, such as a fish and game club, American Legion, VFW, church or religious group, performing arts center, or any other organization or group with a special interest or focus that matches the nature of the artist's work (for example, a wildlife artist and the offices of a conservation group).
- Some cities and towns have a municipal art collection. Usually, the art is located in public buildings and public spaces such as parks and plazas. For the city of Boston, for example, the Boston Art Commission is headed by an Art Collection Manager. Similarly, the Boston Mayor's Office of Arts & Culture purchases art and takes art donations. In Worcester, the Cultural Development Office in City Hall considers donations of artwork depicting the city and its people.
- Non-Profit facilities: hospitals, universities and colleges.

## **Option 2: Art Galleries**

This guide assumes that your artist did not have a relationship with a gallery that represents their estate.

If the work to be 'dispersed' was purchased mostly through one art gallery, the gallery owner might consider taking some pieces back and selling them on consignment. They were able to sell them once, and they might do so again. This is a gallery decision, and they are not obliged to sell any work by anyone. If they do, however, they will likely expect to take a commission on the sale.

The commission rate taken by the gallery may range from 40% to 60%. Factors that may affect that range include the condition of the piece, the 'currency' (popularity) of the artist and/or the type of work (abstract, realistic, surrealist, impressionist), and the place of the work in the artist's output (strong, weak, a major piece or a minor piece, on paper, canvas, etc.).

A gallery that sold the work of a successful artist may be willing to take a fair number of works, but will be very particular about what they take, usually only the best work. Their primary focus is marketing and sales. They may want to destroy lesser works to raise prices on the stronger pieces and avoid flooding the market.

In working with a gallery, be sure that you have a written agreement as to the terms of gallery sales and the proceeds that go to the estate. Read the fine print.

## **Option 3: Private Online Sales**

Selling anything on Craig's List, eBay, Facebook or similar auction sites takes a lot of time and patience. Ordinarily, you can only sell a few pieces at a time, and it may take a long time to find a buyer. The entire process may take years, depending on the amount of work, so this option may be viable for a few works of art but less so for dozens of pieces.

Remember, it also takes time to do an inventory, price the work, photograph it for online sales, and making those photographs suitable for computer display. Shipping is complicated, especially with glass, and you must have a secure mechanism to transfer payment.

#### **Option 4: Auction**

This, too, could take considerable time (months to a few years).

Selling art at auction requires getting an appraisal (some auction houses will charge for this). There will be a seller's premium that you must pay out of the price paid for the sold work that goes to the auction house.

Seller's premiums are usually around 20-25%, but can vary. If the asking price and final sales price is low (under \$1000) the premium may go up to 30%. If the sales price is vastly greater, perhaps \$50,000 or larger, the premium may drop to 15%. The buyer also pays an extra amount beyond the sold price which is called a buyer's premium (20% +/-), and that money goes to the auction house. Other possible charges you may be saddled with include tax, insurance, and photography.

Here are several thoughts for consideration, if you are interested in dispersing art through an auction house:

- You should make sure the work is placed in an auction that is appropriate for the kind of work you are selling for the best exposure and sales price. (I once bought an etching that was in an auction of items totally unrelated to the etching. No one bid except me and I paid the starting bid price. It should have sold for much more. It was in the wrong auction).
- An auction house will not sell all the work at once if you have a number of works to sell. Flooding the market is not a good policy.
- If a work does not sell first time around, it is usually placed in another auction anywhere from 6 months to a year later. If it doesn't sell the second time around, it most likely will be returned to the seller and not go into another auction.
- After the appraisal, the auction house will suggest a price range that they think it will sell for and accordingly will suggest a starting bid offer. The seller can set a reserve (a price point at which the sale price cannot dip below) and is usually done on more valuable pieces.
- As the seller, you have no control over the price once it goes into the auction. Keep your expectations very low.

The auction option is good for one or several pieces, usually. You might find an auction house that will take all the work if you have many to sell. Always consult the auction house for their policies and procedures, and get them in writing.

#### **Option 5: Exhibition and Sale**



This is an excellent option if you have a significant number of works to sell and especially if they are all by one artist. This option requires a large space to hold the exhibition, a lot of networking and advertising, and several months to organize. You may have to set up a special account to process the checks and monies raised (especially if it is going into an estate trust).

The space required will depend on the number of pieces to be sold and the tables and easels required by them. Possibilities include civic spaces such as the halls of the VFW or the American Legion, a church or synagogue if the artist was a member, a community center, a private function room in a hotel or restaurant, the local historical society, or a local art organization, if the artist was a member. Rental costs will vary. Some organizations may have prohibitions against or complications with private sales on their premises; always read the fine print.

This is a time-consuming option and may involve some expense, particularly towards the space for the exhibition and sale. However, it can also be successful and very rewarding. Two case histories are included in the appendix.

A variation of this approach would be private, individual sales. One piece or a few at a time, you can disperse art primarily to friends and the artist's community. You may do this through direct contact with individuals through email, phone, direct mail notification, etc. An artist's previous sales records may provide a starting place to contact potential individual buyers.

### **Other options**

**Garage sales:** Clearly, this is not the best option, but it remains a possibility. Many variables make this a very hit or miss approach, of course.

**Thrift or second-hand store donations:** This is a possibility, although you should be aware that artworks are often accepted only for the value of their frame and glass.

**Discard and Destroy:** Destroying any work of art is certainly not an ideal or the most popular option, but at times it is unavoidable, and forgivable.

### III. Additional Resources

Artist Legacy is a thorough and comprehensive approach by artists, artist's families, and executors to prepare, navigate, and manage an artist's legacy after their death. Artist Legacy is primarily intended for living artists of national renown whose estates hold significant inventories of their work.

Mickey Myers' *The Artist's Legacy Workbook* (Jeffersonville, VT: Bryan Memorial Gallery) provides a very comprehensive outline of this approach. It is available for a modest charge in either a workbook form or as a download: [www.bryangallery.org/legacy/artists.php](http://www.bryangallery.org/legacy/artists.php)

A non-profit Boston area agency, **Art Connections**, sponsors the Art Donation & Placement Program. *They work only with collections within a forty-mile radius of Boston city limits.* This program creates and places donated artwork in social service spaces (e.g., health clinics, homeless shelters, and safe houses). You can reach them at 617-338-7668 or [info@theartconnection.org](mailto:info@theartconnection.org)

A regional chapter of Americans for the Arts, the **Arts and Business Council of Greater Boston** is an alternative legacy information and assistance agency. This agency offers comprehensive assistance with estate planning and legacy services for artists. <http://artsandbusinesscouncil.org/estate-planning-legacy-services-for-artists/>

#### Further Learning

For more on art dispersal for the collector, check out Tom Bender Fine Arts ([www.artmant.net](http://www.artmant.net)). See especially his *LinkedIn* articles: "Establishing a Paper trail for Your Art Collection: What you need to know" and "The 7 ultimate facts & 'must know' about fine art appraisals."

From the online magazine *Hyperallergic*, an informative podcast from Hrag Vartanian devoted to the subject: <https://hyperallergic.com/495606/what-should-artists-do-with-their-work-after-they-die/>

"What Should Artists Save" in the Notes on Culture section of *New York Times Style Magazine* (August 6, 2019, edition, pp. 98-104).

An interesting approach to the legacy option is the found at the Artists Archives of the Western Reserve in Ohio ([www.artistsarchives.org](http://www.artistsarchives.org)). The Artists Archives of the Western Reserve is a unique archival facility and regional museum that preserves representative bodies of work created by Ohio visual artists and, through ongoing research, exhibition and educational programs, actively documents and promotes this cultural heritage for the benefit of the public.

#### **A note on art book donations:**

Art book donations to colleges, universities, and museums requires that the person responsible for dispersal conduct additional research into the nature of the target institution's collection and the extent and orientation of their holdings. From the perspective of an institutional library, whether to accept or reject a donation is based on the focus of the collection, the subject of the book, duplication and currency (usage) of the book, shelf space,

condition of the book, and funds available to accept and maintain the book. Local libraries will keep what they think will be used, current, and fill a subject need. The remainder go to the friends' book sale, and those not sold may go to a book dealer or discarded.

Finally, have patience, be organized, be creative in your thinking. Remember that sometimes the most obvious and simple choice is easily overlooked.

## APPENDIX: CASE HISTORIES

The case histories presented below offer a variety of actual solutions to the question this document addresses. They run the full range of options from giving the work away, all the way up to a major museum donation and to a legacy solution.

### Case History # 1: a local artist

An older retired artist/photographer died suddenly, and the family is unsure of what to do with the body of artwork remaining. He was a retired English professor and freelance writer, who came to photography in his 50s and resided in a major New England city. Most of the work left behind was photographic and primarily political in nature.

During the artist's lifetime, there had been very little public exposure of his work (one solo exhibit, and a few group exhibits at local arts centers). He sold very little of his artwork while alive and left behind hundreds of photographic prints. The work has no real monetary value.

The family is overwhelmed by this inheritance and don't know what to do with the work. There was only the artist's brother to disperse the work, and he was in no position to archive it all.

The brother approached an art professor at a well-known university in New England to inquire about the fate of his brother's archives: the body of photographic work, his art library and studio equipment. It had been the professor who introduced the artist to the art community in the major city where they both lived. The professor accepted the books and studio equipment for the university studio art program where the professor taught, and the town where the artist lived and worked.

### Guiding Philosophy

The Professor stated that "he wanted the artist's *'art ashes'* to be sprinkled among all of us", 'us' being the community of friends and acquaintances of the artist in the city and community of residence.

### Options

- Trash the work; store it indefinitely; or send the work back to the southern US area where the images were taken (family didn't want to do this)
- Create an event that would bring the artist's work and his friends together for dispersion. Sales were not a realistic option.

### Number of people involved

One person needed to do all the organizing and prep work.

### Implementation

Fully aware of the artist's respect and love from the community, the professor proposed an exhibition to be held at the University in the fall of 2018.

The professor was able to arrange for a gallery space at the University. A brief show, curated by the professor, was held and lasted ten days with a closing reception for all those who came. Some people spoke a few words and those who wanted to, took work off the walls of the gallery, and took them. The same was offered to the student body at the university on the last day of the exhibit: 'Come and take whatever intrigues' was how the professor promoted the event.

## **Results**

By the closing hour 90% of all of the artist's hundreds of works were absorbed into the arts community. Many artists and friends, fondly knowing artist, took dozens of works from the gallery walls and the open boxes of unframed works. The community that responded was basically from the greater area of the city where the artist lived and worked. NO money was raised. Friends who chose a piece of the artist's art were pleased with the event and the disposition of his work and their selections.

The outcome was successful, a little bittersweet for those involved, and meaningful in that the artist's "art ashes" had been scattered in his chosen community.

## **Case History # 2. Estate Sale of 160 Watercolor Paintings by a Nationally Recognized Artist.**

A nationally recognized watercolor artist passed away and was survived by only one relative, an adult grandchild (who could not be part of the estate dispersal process and could not house the body of work). The estate included over 160 watercolors, many of which had won awards in national watercolor painting exhibitions. The question arose as to what to do with all these wonderful paintings. They were far too good to trash or send to a local thrift store.

## **Guiding Philosophy**

The goal here was to place as many of these paintings into the hands of people who were friends of the artist and his wife, members of the community where they resided, and others who valued and appreciated the artist's work.

## **Option chosen: an estate sale**

**Day 1:** The work was collected, transported to the local VFW, and set up on display stands. This day and time served as a special evening preview and sale to invited guests. Wine and cheese and soft drinks were available in bar area.

**Guests invited:** Immediate family were invited the hour before the announced reception time. The list included all potential serious buyers. All volunteers working this sale were either close friends or neighbors, or other people in the community who knew the artist's work. Those invited to the advance sale consisted of various art associations that the artist had contact with, including faculty and former students with whom the artist had worked or taught, members of the various art associations that the artist was a part of or demonstrated, and people from the artist's hometown and surrounding communities.

**Day 2:** From 10AM-12PM, we continued the advance sale. From noon to 9 PM, the sale was open to the general public.

**Day 3:** From 10AM -12 PM, the public sale continued. After noon, we cleaned up and left the VFW with the remaining 30 unsold paintings.

## **The Paintings**

- All the paintings were sold as is, framed or not.
- Payment was by cash or check only (check payable to: ESTATE OF.....)
- All sales were final.
- The price of each piece was about 25-30% of the original asking price by artist.
- The price was marked on each piece. There was some negotiating for a few pieces.
- We felt the work had to be priced to sell.
- The paintings were displayed on tables or on free standing easels, as nice and professional a display as possible.
- The unsold paintings were collected and their final destination was considered and eventually stored in one of the sale organizers home.
- We then considered a variety of possible places for donation for the unsold pieces.
- All the art and reference books from artist's art studio were for sale ranging from \$2 to \$10 each. Most were sold and a few remainders were given away.

## **Advertising**

We distributed posters to the local senior center, art associations, local galleries, various town events (Farmers Market, music & cultural festivals, etc), community bulletin boards, "Poster type" computer announcements for emailing, and Face Book and other social media outlets.

All advertising included the date, time, place, a montage image of several paintings, a web site connection for images of artist's work, and a very short one-two line blurb about nature of the sale, including all proceeds to Estate Trust).

A sandwich board advertising the sale was placed in front of the VFW.

About half the paintings were sold on the Thursday, and another 25% or so were sold during the remaining 2 days.

After the estate sale, there were about 30 paintings left. Over the following 10 months or so, most of the remaining paintings were sold, and several were given away (the last leftovers). This was done as people responded to the advertising on Face Book, individuals contacting us who could not make the 3-day sale, and some word of mouth in the town through friends. In all, \$20,000 was raised for the Artist's Estate.

The artist left behind about 400 slides of his paintings. These were assembled into 4 sets of 95 slides, each a different painting, and dispersed: 3 went to collectors of his work, and one went to the public library in the town where he lived and owns 3 of his paintings. It is in their art acquisition records (establishes provenance).

### **Case History # 3. Major Sculptor Legacy Project**

A highly respected and well-known arts council director (referred to hereafter as Estate Art Executor 'EAE') was approached by the sculptors Estate Trustees (of a prominent Mid-20<sup>th</sup> Century artist/sculptor) to manage the dispersal of over 150 pieces of sculpture, and over 1000 drawings and other documents.

The artist was an abstract expressionist sculptor in the 1950s-80s. While not one of the top tier artists, this artist was recognized nationally and internationally, and his work is in many private collections and museums.

#### **The Sale**

In the beginning, the EAE formulated a plan, along with the Trustees. All the sculptures were inventoried, and a rough overview of the documents and drawings was done as well.

The first step in this plan was to have two public exhibits and sales. The exhibit sales were done thematically (as regards the nature of the pieces), open to the general public and held in an art gallery and all the work was priced close to current market levels.

This resulted in the sale of approximately 20% of the sculptures. A number of pieces sold for well into the 5-figure range. The financial arrangement of the two exhibit sales proceeds was a 50/50 split between the gallery and the Estate Trust.

Of the remaining work, (80%), the EAE researched a variety of institutions as possible donation recipients. Among the criteria was the appropriateness of the institution (would the work fit in their collection, be exhibited over time, and be properly curated). This list included college museums, private schools and private collectors. The EAE made the contacts and handled all the viewing of the work that was stored in a large rented temperature-humidity controlled storage space. The EAE also handled all sales. The institutions and selected collectors were mostly regional (The New England Region where the artist lived and worked). The institution person contacted was either the Museum Director or the Art Department Chairman.

The remainder of the work was dispersed in this fashion.

#### **Results**

The process took four years to complete. The EAE was financially reimbursed for the time and effort expended in this process. The Estate did not pay any money out for transportation or installation of the work sold. All transactions were strictly cash and carry.

During the 4 years of this process, the work was held in a large heated basement storeroom as mentioned above.

In addition, there were over 1000 documents and drawings that were eventually archived. This process was costly, and it was funded primarily by the Estate Trustees. The result was a complete archiving of all the existing documents, drawings and photographs of the artist's

work. This Archive is now housed in a major New England city's public library and can be accessed through the library's web site.

This process was very extensive, expensive and took some two years to complete. In addition, a major New England university created and published a monograph of the artist's work. It is currently available for sale to the public.

This was and is a very ambitious and costly type of project. Part of the success of it was the Estate Art Executor: the person, his connections, his knowledge of the art world and art institutions, and his former arts administrative positions. It also says a lot about the regard for the artist, his work, and his place in 20 century American art.

#### **Case History #4. Military WWII Drawing Donation**

Many years ago, I (the author) acquired a drawing of a military wall tent, and immediate surroundings, at Fort Meade, Maryland. It was done in June of 1942 by a recruit (possibly a known illustrator). It was nicely rendered, realistic, and probably done while sitting around on a weekend when training was minimal. The paper was manila and displayed some yellowing from age. The signature, date and location were written on the lower right of the drawing. The provenance was very clear and proper.

#### **Dispersal of Art**

I offered the drawing to two WWII Military museums in New England, but neither was interested because it didn't fit with their collection. After doing some research, I reached out to the Fort Meade Military Museum on the grounds of Ft. Meade, Maryland. They were very interested, and I sent a photo of the drawing.

The Museum notified the donor that they very much would like the drawing. The drawing was taken to the museum and formally accepted. A formal letter of acceptance and full release by the donor was signed by both the curator and the donor. The museum officials were especially pleased to have it as they did not have any drawings of Fort Meade tent housing from that time.

It is a unique acquisition for them and was greatly appreciated.

This is a good example of finding the right museum for a donation that was well suited for their collection and filled a gap.

#### **Case History #5. Boston Museum of Fine Arts Donation 2019**

A well-known nationally recognized art critic passed away leaving his extensive art collection, mostly 20<sup>th</sup> and 21<sup>st</sup> century artists, to his brother. The collection was well cared for in his Boston apartment, to the extent that many wall pieces were covered most of the time with a sheet to prevent being light struck and other issues. The critic's death was sudden and unexpected. His brother was the executor and the recipient of dozens of art pieces and did not want to keep them.



## **Appraisal**

The art critic had a close friend who is an art appraiser, well known, and with many contacts. This appraiser offered their assistance and was well-informed about the procedure. This assistance was greatly appreciated and accepted.

The appraiser evaluated the collection and did a formal appraisal of about 20 works of art that were thought to be the most desirable for donation. Most were works on paper with well-known names. The appraisal was very detailed and specific. The estimated value was approximately \$125,000. The appraiser had contacts at the Boston Museum of Fine Arts, a major encyclopedic/comprehensive art museum of international stature. This was an 'in' that cut out some steps and saved time. The appraiser contacted the MFA, gave them the list of works, photographs of each piece, appraisal documents, condition report and provenance.

## **Dispersal**

Two curators from the MFA came out and viewed the work, examined the condition of each piece, and took photos. The work had no provenance available before the critic acquired them, but the fame of the critic sufficed.

After this examination of the work, the MFA curators presented and discussed the possible donation with other curators at the MFA. Several Staff from the MFA returned to the donor's house and carefully packed up the potential donation pieces (17 in all) and the work went to the MFA for further evaluation by a special committee. The work and all the evaluations were then presented to the Museum Trustees and the work was accepted.

In this acceptance, the donor gave up ALL rights to the work. A 'Deed of Gift' document was signed. The one stipulation in the donation was that when any piece is exhibited the label will include the source: 'From the Estate of.....'

Per MFA policy, if the gift is over a certain amount, then special perks usually kick in. In this case, the donor was given a special MFA membership, which included the Ross Society at the MFA (special events entry, previews, etc.). If the gift is over 5K in value, the Museum requires a detailed appraisal, done by a qualified art appraiser (with credentials of the appraiser's status), independent from the MFA and at the donor's expense. The appraiser's credentials in this case helped greatly in the process: the provenance issue and in speeding up the process and initial MFA response. Many donations take a year or more to complete. In this case it took only 5 months.

The donor still has dozens of art pieces to deal with after the MFA donation. The deceased brother also left many other 'art' related items that the donor had to disperse. Those items, and their recipients, included the following:

- 500 books on photography were donated to the photography resource center at a Boston College.
- 500 music CDs (mostly opera, some classical) were donated to a Boston music conservatory.
- Several hundred books on architecture were donated to the Boston School of architecture.

- 1500 art books were donated to a local art college.