

CHAPTER 7  
MUSEUM PROPERTY

**221—7.1(305B) Purpose.** The procedure for disposition of property held by museums within the state is implemented as provided by Iowa Code chapter 305B.

**221—7.2(305B) Forms.** Effective July 1, 1991, the following forms are provided pursuant to Iowa Code chapter 305B:

1. Notice of injury to or loss of property on loan;
2. Notice of conservation of loaned property;
3. Notice of intent to terminate a loan; and
4. Notice of intent to preserve an interest in property on loan.

Copies of the forms may be obtained from the Director, Department of Cultural Affairs, Capitol Complex, Des Moines, Iowa 50319; (515)281-6078. Inquiries may be addressed to the same location.

**221—7.3(305B) Title to undocumented property.** A museum may acquire title to undocumented property held for seven years or longer if no valid claim or contact is made by any person in accordance with Iowa Code sections 303B.7 and 303B.9 and 221—7.2(305B). A museum may declare acquisition of legal title to undocumented property following the museum's completion of all notifications specified in Iowa Code sections 305B.3 to 305B.6, 305B.8 and 305B.9. The notification shall consist of a written notice to the last known contact, if a contact is known; posting of a notice of the proposed action in a publicly accessible place in the institution, and publication of a legal notice in a newspaper of record in the state with a 30-day waiting period. This notification must contain substantially the following information as provided by Iowa Code section 303B.9(3): "The records of (name of museum) fail to indicate the owner of record of certain property in its possession. The museum intends to acquire title to the below described property: (general description of the property). If you claim ownership or other legal interest in this property you must contact the institution, establish your ownership of the property pursuant to Iowa Code section 305B.8 and make arrangements to collect the property. If you fail to do so promptly, you will be considered to have waived any claim you may have had to the property."

**221—7.4(305B) Museum and lender obligations.** In order to take title pursuant to this chapter, a museum and a lender must comply with the provisions of Iowa Code sections 305B.10 to 305B.12.

FORM 1

NOTICE OF INJURY TO OR LOSS OF PROPERTY ON LOAN

Museum/Institution \_\_\_\_\_

Contact Person \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Date of Notice \_\_\_\_\_

Lender/Claimant \_\_\_\_\_

Address (last known) \_\_\_\_\_

Phone \_\_\_\_\_

In accordance with Iowa Code chapter 305B, the Museum Property Act, the above named institution hereby officially informs you of injury to or loss of the property on loan that is identified and described below.

Description of Property \_\_\_\_\_

\_\_\_\_\_

Institutional Identification of Loan \_\_\_\_\_

Original Date of Loan \_\_\_\_\_ Term of Loan \_\_\_\_\_

Condition of Property at Time Loan was Initiated \_\_\_\_\_

\_\_\_\_\_

Description and Cause of Damage \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Action by Institution \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date of Action \_\_\_\_\_

Signed for the Institution \_\_\_\_\_

Type/print name and title \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Date \_\_\_\_\_

TO BE COMPLETED BY THE LENDER OR CLAIMANT: I acknowledge receipt of the "Notice of Injury or Loss of Property on Loan" for the property identified above.

Signature \_\_\_\_\_

Type/print name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

RETURN TO INSTITUTIONAL CONTACT PERSON LISTED ABOVE.

Date completed form received by Museum \_\_\_\_\_

Signature of person receiving returned form \_\_\_\_\_

FORM 2

NOTICE TO CONSERVE LOANED PROPERTY

Museum/Institution \_\_\_\_\_  
Contact Person \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Date of Notice \_\_\_\_\_

Lender/Claimant \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_

In accordance with Iowa Code chapter 305B the above named institution hereby officially informs you of conservation activity that shall be undertaken on the property on loan that is identified and described below.

Description of property \_\_\_\_\_  
\_\_\_\_\_

Institutional Identification of Loan \_\_\_\_\_  
Original Date of Loan \_\_\_\_\_  
Condition of Property at Time Loan was Initiated \_\_\_\_\_  
\_\_\_\_\_

Conservation Action to be taken by the Institution \_\_\_\_\_  
\_\_\_\_\_

Date of Action \_\_\_\_\_  
Signed for the Institution \_\_\_\_\_  
Type/Print Name and Title \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Date \_\_\_\_\_

TO BE COMPLETED BY THE LENDER OR CLAIMANT: I acknowledge receipt of the "Notice to Conserve Loaned Property" for the property identified above.

Signature \_\_\_\_\_  
Type/Print Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_

RETURN TO INSTITUTIONAL CONTACT PERSON LISTED ABOVE.

Date completed form received by Museum \_\_\_\_\_  
Signature of person receiving return form \_\_\_\_\_

FORM 3

NOTICE OF INTENT TO TEMINATE A LOAN

Museum/Institution \_\_\_\_\_

Contact Person \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Date of Notice \_\_\_\_\_

Lender/Claimant \_\_\_\_\_

Address (last known) \_\_\_\_\_

Phone \_\_\_\_\_

Museum Registration/Identification No(s) of Loan(s) \_\_\_\_\_

Original Date of Loan \_\_\_\_\_

Terms of Loan \_\_\_\_\_

Description of Property \_\_\_\_\_

\_\_\_\_\_

The records of \_\_\_\_\_ (Museum name) indicate that you currently have the above property on loan to it. The institution wishes to terminate the loan. You must contact the institution, establish your ownership of the property pursuant to section 305B.8, and make arrangements to collect the property. If you fail to do so promptly, you will be considered to have donated the property to the institution. You must complete and return the enclosed "Notice of Intent to Preserve an Interest in Property on Loan" within one year from the date of this notice, and make arrangements to collect the property within that time period, or your interests will automatically be terminated, and this institution will acquire title to the property, according to the provisions of Iowa Code chapter 305B.

For the institution \_\_\_\_\_ Date \_\_\_\_\_

Signature

Address \_\_\_\_\_

\_\_\_\_\_

ATTACHED: Notice of Intent to Preserve an Interest in Property on Loan.

FORM 4

NOTICE OF INTENT TO PRESERVE AN INTEREST IN PROPERTY ON LOAN

TO LENDER OR CLAIMANT - Iowa Code chapter 305B requires you to notify this institution promptly in writing of any change of address or ownership of property on loan to a museum. If the museum is unable to contact you regarding your loan, you may lose rights to loaned property. If you want to maintain your rights to the property identified below, complete and return this form. If you do not return this notice of intent within one year from the date of the notice, your interests automatically will be terminated; the museum will acquire title to the property.

Museum/Institution \_\_\_\_\_

Contact Person \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Date of Notice \_\_\_\_\_

Lender/Claimant \_\_\_\_\_

Address (last known) \_\_\_\_\_

Phone \_\_\_\_\_

Museum Registration/Identification No(s) of Loan \_\_\_\_\_

Description of Property (Attach an accurate, legible copy of the loan receipt, any materials documenting the loan, or provide a detailed description of the claimed property, including its general characteristics, identification number(s), and distinguishing characteristics.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Original Date of Loan \_\_\_\_\_

Terms of Loan \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Interest in Property (If you are not the original lender, describe the origin and nature of your interest in the property. Attach copies of documents supporting your interest sufficient to establish ownership of the property.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TO THE INSTITUTION — I hereby notify the above named institution that I claim an interest in the property described in the Notice of the Intent to Terminate a Loan (Form 3).

I understand that I must make arrangements with the institution to retrieve said property within one year of the date of this notice or title to the property shall revert to the institution.

I understand that I must promptly notify the institution in writing of any changes in address or ownership of the property.

I declare under penalty of perjury that to the best of my knowledge that the information contained in this notice is true.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Claimant

