

LICENSE AGREEMENT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the **PORTLAND MUSEUM OF ART**, a Maine non-profit corporation with a place of business at Seven Congress Square, Portland, Maine 04101 (“PMA”), hereby grants to the **CITY OF PORTLAND**, a Maine body corporate and politic, with a mailing address of City Hall, 389 Congress Street, Portland, Maine 04101 (the “City”), a revocable license to occupy portions of land owned by PMA on or near Spring Street in Portland, Cumberland County, Maine, such licensed land being depicted on **Exhibit A** attached hereto. The foregoing license being for the purpose of allowing limited public use of the licensed land, subject and pursuant to the conditions contained below. The license granted in this license agreement is subject to the following conditions:

1. This license agreement is not assignable by the City.
2. The license is subject to the following conditions:
 - a. No dogs shall be allowed on the licensed land.
 - b. The public may use the licensed land only during daylight hours (i.e., sunrise to sunset).
 - c. The licensed land may be used only for passive recreational activities (i.e., no athletic activities, no street performers, no bicycles).
3. The City shall not be responsible for maintenance of the landscaping and other improvements on the licensed land. The City shall not make any improvements or alterations to the licensed land.
4. This license agreement may be revoked by PMA in the event that: (i) PMA intends to develop the licensed land; (ii) the licensed land is being used in violation of the conditions of this license agreement; or (iii) the improvements on the licensed land are being vandalized or the landscaping and other improvements thereon damaged from overuse or misuse.

IN WITNESS WHEREOF, the parties have caused this license agreement to be executed this ___ day of May, 2008.

CITY OF PORTLAND

By: _____
Joseph E. Gray, Jr.
City Manager

PORTLAND MUSEUM OF ART

By: _____

Its Executive Director

STATE OF MAINE
CUMBERLAND, ss.

May _____, 2008

PERSONALLY APPEARED before me the above named Joseph E. Gray, Jr., City Manager of the City of Portland as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the City of Portland.

Notary Public/Attorney at Law
Print name:
My commission expires:

STATE OF MAINE
CUMBERLAND, ss.

May _____, 2008

PERSONALLY APPEARED before me the above named _____, Executive Director of the Portland Museum of Art as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said entity.

Notary Public/Attorney at Law
Print name:
My commission expires: