

Acquiring Title to Found-in-Collection Objects

Pursuant to Title 55-210.37 *Acquiring Title to Undocumented Property* of the Code of Virginia, the museum has the authority to acquire legal title to Found-in-Collection objects if it can verify through written records that it has held such property for five years or longer, during which period no valid claim to the property has been asserted and no person has contacted the museum regarding the property, by complying with the following:

1. The museum shall cause to be published a notice once a week for two consecutive weeks in a newspaper of general circulation in the county or city in which the museum is located, and in a newspaper of general circulation in the county or city of the lender's last known address, if different from the county or city in which the museum is located.
2. The notice shall include: a brief and general description of the property; date or approximate date of the loan or acquisition of the property by the museum, if known; notice of the museum's intent to claim title to the property if no valid claims are made within sixty-five (65) days following the date of the first publication of the notice; the name, address, and telephone number of the representative of the museum to contact for more information or to make a claim; and, if known, the name and last known address of the lender.
3. If no valid claims have been made by the end of the sixty-five (65) day period following the date of the first publication of notice, the museum shall cause to be published a second notice once a week for two consecutive weeks in a newspaper of general circulation in the county or city in which the museum is located, and in a newspaper of general circulation in the county or city of the lender's last known address, if different from the county or city in which the museum is located.
4. The second notice shall include: a brief and general description of the property; the date or approximate date of the loan or acquisition of the property by the museum, if known; notice that the museum claims title to the property as of the date of the end of the sixty-five (65) day period following the date of the first publication of the second notice; and, if known, the name and last known address of the lender.
5. If these provisions are met, clear and unrestricted title is transferred to the museum.

Claims for Property

The Valentine Museum will publish as public notice the intent to acquire title to the property. A claim must be submitted by completing the "Undocumented Property Claim Form" (see attached). If a valid claim of ownership is submitted, the museum will investigate the claim within 90 days unless it is clear that it is unsupported or unsubstantiated. It is the responsibility of the museum to balance protection of the legitimate intent of the donor with the valid interest of a claimant; therefore, the museum will consider a claim to be validated if the following forms of evidence are satisfied:

- Identity of the claimant or relationship to the original claimant can be verified
- Original museum documentation or a combination [how many?] of the following is provided:
 - Unique identification of the property
 - Correspondence relating to the item
 - Last will and testament detailing transfer of the item to next of kin
 - Oral history

Museum staff will review the evidence and notify the claimant of its determination via certified mail. If museum staff cannot complete a determination after suitable evidence has been provided and research conducted, final determination will fall to a subcommittee of the Board of Trustees.

If multiple claims to ownership are submitted, the museum will defer a determination until the various claims are resolved by agreement or legal action. If the museum verifies that multiple claimants are joint owners, the museum will ensure that all parties agree to final disposition of the property before taking action.

If the museum is satisfied that a claimant(s) is entitled to take possession of the property, the museum will enter into an agreement regarding disposition. Possession of the property by the claimant(s) must be taken within 6 months of the agreement but for good cause shown.

For Staff Use Only

Date Received: _____ Method of Delivery: _____ Signature: _____