

MEMORANDUM ON THE LINZ CAFE

In ~~early~~ late 1979, I ~~received~~ received a phone call from Angela Hareiter was asked by the organisers of Forum Design, in Linz, to contribute a project to the Forum Design exhibition, which was to be held in Linz in the summer 1980. I agreed, and ~~after some ne~~

(It was made clear that I was to receive a commission of \$16,000 .

~~After~~ I explained that I would want to build a building, with the

with the understanding that both the work and the commission were to be taken from the same basic budget of \$16,000, and that the work would be mine when the exhibition finished. ~~After~~

After some discussion, I ~~was~~ explained that I would like to build a complete building, which could be dismantled, and rebuilt on another site... and that this building was to take the form of a cafe. Since the building ^{was to be} quite large (approximately 250 m²), and since it saved some money from the exhibit, ^{an} ~~my~~ allowance for the work was increased to ~~be~~ \$21,000, ~~and~~ and plans for the building went ahead.

This agreement was recorded in a contract, dated between the Hochschule fur Gestaltung

This agreement was negotiatied between myself and Helmut Gsollpointner, rector of the Hochschule fur Gestaltung, and was then recorded in a contract between myself and the Hichschule fur Gestaltung, ~~and signed~~, dated , ~~and~~. A copy is enclosed.

This contract specifically explicitly makes ~~it~~ clear that ~~the building (which came to be called the Linz Cafe), was my property,~~
~~and~~

the following points:

1. That the building, which later came to be known as the Linz Cafe, was my property (not including the land it stood on when first built).
2. That the Hochschule fur Gestaltung accepted the responsibility for trying to sell the building, ~~and the and mb in the b x f o m x m x~~ helping me to sell the building, at the end of the exhibition.
3. That the Hochschule accepted the responsibility for storing the building, between the end of the exhibition and ~~the~~ December 31, 1980, if a buyer could not be found in time.
- 4.

During the summer Helmust Gsollpointer had indicated to me that the Museum of Modern Art in Vienna, might buy the building, and that he would pursue this with the director of ~~the~~ the Museum.

~~However~~ This negotiation apparently failed, and ~~on~~ ^{about} October 6, (?)m, a few days after the exhibition closed, I received a phone call from ~~Mr~~ R Mr. Gsollpointner, ~~suggesting~~ to tell me that they had found a buyer, ~~but~~ but that unfortunately he would only be willing to pay a very low price (*80,000 schilling); ~~and~~ and asking me whether I would agree to this arrangement.

Since it was necessary to sell the building before the end of the year, ~~and~~ and since this buyer ~~was~~ apparently had good intention to keep the building in its present form, ~~I agreed~~
I said that I would think this over, and would let ~~me~~ him know.

I asked the name of the buyer, and detected a slight reluctance on Mr Gsollpointners part, in giving me this information - but

~~xxxxxxxxxxxx~~ However, after some effort he gave ~~xx~~ me the name and phone number of the potential buyer, as Mr Wagner of

*Brambach kirchen near
Wels, phone*

. I said that I would talk to him, and find out his attitude to the building, before agreeing to the sale.

Mr Gsollpointer asked me to ~~x~~ hurry since a decision needed *to be made at once,*

About ten minutes later, a suddenly received a phone call from this very Mr Wagner (before I had even had time to call ~~Wagner~~ ~~xxxx~~ him myself), who said he was speaking from the rectors office at the Hochschule in Linz. I was amazed that they had been able to find him, and had apparently brought him to the Hochschule to speak to me. The phone call was ~~very~~ rather uncomfortable, since I did not entirely ~~agree with the matter~~ like Mr Wagners *suggestion* of using the Linz cafe as a night club, ~~and~~. As I was trying to probe further into the situation, suddenly Mr Wagner informed me that he could not speak any more, ~~and~~ excused himself and hung up the phone. Naturally this left me with a very uncomfortable feeling indeed.

~~x~~

A few minutes later, the phone rang again, and again Mr Wagner appeared on the line, this time speaking from another phone. He apologised for the previous conversation, said he realised that it had disturbed me, but explained that he had been speaking under constraint, and that ~~xxx~~ at the end Mr Gsollpointer had suddenly asked him to terminate the conversation.

He now explained that his intentions were very good.... and then, suddenly began to ~~x~~ speak about the building as if it were already his.

I questioned him, and found out that ^{in his mind} he had bought the building, at an auction, organised by the Hochschule fur Gestaltung, a few days before, for 80,000 schillings. Naturally I was quite amazed, explained to him that the building belonged to me, and that I ~~know~~ nothing about this auction, ~~xxx~~ That I was willing to consider selling the ~~x~~ building to him, provided that he would agree to certain conditions - ~~xxx~~. He was also quite surprised, ~~and~~ although he seemed aware of the fact that in some sense my approval was needed, ~~xx~~ since he asked whether I would agree to have disassembly work begin on the building a few days later. I said that of course I would have to clarify the situation first.

I called Gsollpointer again, and asked him about the auction. He seemed awkward - but said that the auction ^{process} had made it clear that the sale was contingent upon my approval, and that the University was merely acting as my agent. However, I was unable to find out the name of the auction company, so I could not check on the details any further. Mr Gsollpointer was very insistent that I send a telegram expressing my agreement to the sale - expressed the need for extreme speed - and confirmed my suspicion that he was trying to get a legal justification for an illegal sale which had happened at the auction.

I told him that I would send a telegram expressing ^{my} ~~the~~ conditions ^{for a} ~~of~~ ~~the~~ sale clearly, and sent the telegram enclosed.

I also communicated the contents of this telegram to Mr Wagner~~x~~.

Since then, I have ~~xx~~ been unable to reach Mr Wagner, and have received no word from him. I understand that the building was ~~xxxxxxxxxxxx~~ taken down, and stored, ~~by~~ - I believe by Mr Wagner -

~~A few weeks later I called Gsollpointer, to get an answer to~~
I sent several further cables to Gsollpointer to promot an answer
to my original cable, but never received an answer. Finally,
in Novemebr, ~~Emaxhed~~ December, I called him, and asked him what
was happening. He said that ~~the~~ it was up to me to negotiatie directly
with Mr Wagner, thus renegeing on the Hochschules obligation to
negotiate on my behald, as expressed in the contract.

I asked him where the 40,000 schillings weere, which Wagnr had
already paid, and he said that he did not know. (Note; this man is
Rector of the ~~University~~ ^{Hochschule !!})

In summary, apparently the ~~Univem~~ Hochschule illegally sold my
building, and both the university, and Mr Wagner now refuse to
discuss the matter.

~~mshonbmbnkbm~~