

Swan Hill Nurseries, LLC

**Ed Mulrean Ph.D.
General Manager
P.O. Box 420
Waddell, AZ 85355-0420**



**Office: 623-935-0545
Fax: 623-935-1608
E-Mail: info@swanhill.com
Web: www.swanhill.com**

The Swan Hill Olive®

(Reg. U.S. Pat. & Tm. Office - No. 2,001,332)

Swan Hill Nurseries, LLC Tag and Reserve Policy

Swan Hill Nurseries, LLC's goal is to offer Landscape Architects, Developers and Contractors the highest quality, properly sized specimen fruitless olives.

We have developed this Tag and Reserve Policy in an effort to assist landscape architects, developers and contractors with their future tree needs. It offers clients the opportunity to tag and reserve trees in advance of landscape construction.

If you are not familiar with our Tag and Reserve Policy, please take a few moments to read it (see below). If you have questions or if you would like to discuss reserving trees for future projects, contact us at 623-935-0545.

Producing trees in large containers can take anywhere from three to six years. This time requirement means that trees needed by our customers today are trees that must already exist in our inventory. It is because of the time it takes to grow a tree, and that it is a living not a manufactured product, we have adopted our Tag and Reserve Policy. The Tag and Reserve Policy outlined here is intended to be simple and customer friendly. While we can't assure any customer a supply of market sized trees every time a customer may need them, we do believe that our Tag and Reserve Policy, if utilized properly, can provide customers with some degree of certainty. Our Tag and Reserve Policy requires the cooperation and coordination between Swan Hill Nurseries, LLC., the customer and the project landscape architect.

Trees that are to be tagged and placed in reserve must be selected by the customer or customer representative. Trees tagged must already exist in our inventory in the size container specified as the size required for the project. Trees tagged shall be trees that will in our estimation be mature, but not overgrown at the date designated for shipping. As a convenience, clients may elect to have Swan Hill Nurseries, LLC, personnel select and tag trees for them. Trees tagged and reserved by Swan Hill Nurseries, LLC personnel at the request of a customer shall be considered to have been selected and tagged by the customer. Cash deposits may be required to secure selected Tag and Reserve Orders.

Tagged trees are immediately removed from our saleable inventory and placed in reserve for the customer's project. Any trees that are for any reason not shipped to the project job site within thirty days from the specified delivery date on the Tag and Reserve order shall be subject to release for sale to others. Trees that in our estimation are past the mature size for the container size tagged, and which are not due to be shipped within a reasonable time, shall also be subject to release for sale to others.

In the event a project is delayed or conditions change, to the end that trees tagged cannot be shipped at the date previously stipulated on the hold order, it is our policy to ask that the customer tag new trees in our inventory, if such trees are available. The newly tagged trees will be removed from our saleable inventory and placed in reserve for the project, as a new hold order and the previously tagged trees will be released for sale to others.

Tagged trees placed in reserve, that are damaged or unaccounted for from any cause whatsoever while still in our nursery, shall to the extent possible be replaced with other trees in our nursery if similar trees are available. Tagging of new trees in this event shall be done with the customer or customer representative. Swan Hill Nurseries, LLC, will not be responsible for replacing trees that sustain damage or are unaccounted for while held in reserve at our nursery, if replacement trees are not available from our inventory.

Tagged and reserved trees may be inspected by the customer or customer representative prior to shipment to the job site. We highly recommend that this inspection be done to assure that the trees meet with your requirements. Trees tagged several months before the time needed should always be inspected prior to shipment. Prior to shipment inspections can be made by appointment Monday through Friday except holidays.

Specializing in the Non-Pollinating, Fruitless & Verticillium Wilt Resistant Swan Hill Olive®

Trees that are tagged and reserved will be shipped at the instruction of the customer or customer representative. Trees must be inspected by the customer or customer representative when they arrive at the job site. Since these trees have been tagged and approved in advance, trees can only be rejected upon delivery because of damage that might occur during shipping and not for any other reason. Once trees are delivered, they become the responsibility of the customer. Swan Hill Nurseries, LLC, cannot assume responsibility for the viability of trees once they have left our care.

Prices for the trees tagged shall be per the bid quotation given at the time of tree tagging. Swan Hill Nurseries, LLC, requires that a signed credit agreement be executed by the customer, prior to the shipment of any trees to a job site, unless other arrangements have been made.

Sign and Return (623-935-1608)

Buyer

Company

Date_____

Revised 7/2005