

SOUTH COAST WHOLESALE TERMS AND CONDITIONS OF SALE

Terms of Container Stock Sales

All orders will be either PREPAID or C.O.D. unless a prior account has been established. Credit is available to established businesses based on the following:

1. All accounts are due and payable 30 days after invoice date.
2. Overdue accounts will be subject to a service charge of 1.5% per month or 18% per annum.
3. South Coast Wholesale retains the right to deny further credit on overdue accounts.

In the event it becomes necessary for South Coast Wholesale to file suit to enforce payment, such suit may be brought in San Diego County as South Coast Wholesale option and South Coast Wholesale shall be entitled to court costs, attorney's fees and service charges of 18% per annum.

Terms of Field Grown Specimen Tree & Specimen Palm Sales

All Specimen Tree and Specimen Palm orders will be PREPAID unless a prior account or other arrangement has been established.

South Coast Wholesale will gladly HOLD material for up to ninety-days with a 50% non-refundable deposit. Any material held for a period greater than ninety-days is subject to additional maintenance fees.

Special Orders

All special orders must be paid in full at time of order. South Coast Wholesale will not be responsible for holding "tagged" plant material for periods greater than seven days from "hold" date, unless prior arrangements have been made. Special Orders not picked up within seven days, or by the agreed upon date will be subject to a 10% monthly maintenance fee.

Delivery/Shipping – *please read*

All published prices do not include shipping. Shipping can be arranged through South Coast Wholesale or you can arrange shipping through a common carrier. In any event in which buyer arranges for its own transportation of nursery stock purchased from South Coast Wholesale, buyer shall be responsible for any liabilities or claims of damage which occur after the nursery stock leaves seller's premises. In any event in which South Coast Wholesale delivers nursery stock to a buyer, Seller shall only be obligated to deliver the nursery stock to the curb of the premises at the delivery site. **Buyer shall have adequate personnel and equipment at the delivery site for off-loading nursery stock. Orders requiring more than two hours to off-load are subject to a \$20.00 per quarter hour standby charge, billed directly to purchaser.**

Delivery Days & Times

South Coast Wholesale uses common carriers for all large tree orders. While we do our very best to ensure prompt delivery and complete satisfaction, we do sometimes experience delays beyond our control caused by weather, traffic, or equipment failure. We will always keep in touch with our customers to convey any known delays, however we cannot be held responsible for orders that arrive behind schedule due to any of the above conditions.

_____ I have read, understand, and agree to pay any additional charges explained in the Delivery/Shipping Section above.
(initial)

Non-Warranty

Unless otherwise noted on invoice*, South Coast Wholesale accepts no responsibility for the viability of the plant material once it is accepted by the customer. No guarantee is made, expressed or implied, regarding the future growing performance of any plant material. ****if specimen tree with warranty is purchased, you will be given separate warranty instructions.***

Claims

All claims for any reason must be made within 48 hours. If an error has been made, please notify us promptly and we will make any necessary adjustments. We do not guarantee the longevity of plants and will only accept returned goods within 5 days after delivery. At no time will South Coast Wholesale be responsible for more than the purchase price of the plant material. Any return of material ordered, delivered, and returned or rejected due to an error on buyer shall be subject to the restock fees listed below.

Cancellation

South Coast Wholesale reserves the right to charge up to a 30% non-negotiable cancellation fee or restock fee for any cancelled or returned orders. Credit will be contingent upon inspection of returned nursery stock. Plants returned via South Coast Wholesale's truck are subject to a \$75.00 per hour trucking fee in addition to any cancellation or restocking charge.

PLEASE INITIAL THE DELIVERY SECTION ABOVE & FAX BACK TO 858-451-2025