



**Landscape Division**  
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**Top Cut Lawn Care, Inc.**  
**1200 East Business 83**  
**La Feria, Texas 78559**  
**Phone: 956.423.4318**  
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## LIMITED WARRANTY

**Date:** (Date Issued)

**Owner:** (ABC Apartments)  
(1234 Sample Street)  
(Rio Grande Valley)

**Project:** (Your Landscape)                      **Substantial Completion:** (Date of Completion)

**Warranty:** Top Cut Lawn Care, Inc. warrants all exterior trees and palms sold by them and installed by them to be true to name, free from disease, healthy at time of installations and capable of living. Length of warranty is **one (1) year** from date of substantial completion.

Top Cut Lawn Care, Inc. warrants all exterior nursery plants, shrubs, and groundcovers sold by them and installed by them to be true to name, free from disease, healthy at time of installations, and capable of living. Length of warranty is **three (3) months** from date of substantial completion.

We will make replacement of any such plants, shrubs, trees, palms, or groundcovers of same size and variety without cost to the consumer, providing death occurs within the said warranty period. The consumer shall provide the trees, palms, shrubs, and groundcovers with all reasonable and proper care during the warranty period.

- Exclusions:**
1.     Annuals, perennials, roses, plants in tubs or planter boxes, or cemetery plantings.
  2.     Any trees, palms, shrubs, or groundcovers which have not been given reasonable and proper care personally by the consumer; or any product which has had improper use by the consumer.
  3.     Losses due to:
    - drought, frost, fire, flood, tornado, hurricane, or other severe weather conditions (e.g. extreme winter weather)
    - vandalism
    - theft
    - animal damage
    - lack of or excess moisture
    - factors beyond the control of the warrantor.

4. Any plants, shrubs, trees, or groundcovers planted and/or transplanted at consumers property that were not supplied by the warrantor at time of said planting and/or transplanting.
5. Any plants, shrubs, trees, or groundcovers that have had improper applications of pesticides or fertilizer.

**Consumer's Responsibility:** The consumer is responsible for providing the following maintenance:

1. **New Planting:** Watering for new plantings is required daily (soil must not be allowed to dry out), then less frequently as the plants expand their root system into the soil. Some varieties establish quicker than others, therefore, more attention is needed for the slower varieties.
2. **Watering after plants are established:** This should be done by thoroughly wetting the root soil mass every 7 to 10 days during the growing season provided there has not been at least one inch of rain in the interim period. Do not overwater plants as this can cause as much trouble as not enough water. A good method of checking soil moisture is to dig through the mulch, using your finger, into the top two inches of soil. This should be done within two to three inches of the trunk of the plant. If soil is moist, the soil will have sufficient moisture.
3. **Hydromulching:** Bermuda seed usually germinates in 2-3 weeks. It must be kept constantly moist until it is well rooted. Moisture is very critical just at the time seed is germinating.

**Trees and Palms require special attention** for the first two summers. If bubblers are not provided for irrigation, each plant should have a deep watering at least once a week during summer months. In the absence of a significant rainfall, each plant should be watered with a hose until the root ball is thoroughly moistened. It is not sufficient to rely on turfgrass irrigation to provide adequate moisture for trees and palms. Turfgrass irrigation is designed and managed to provide moisture for the shallow root systems of grasses. It is not designed to provide the kind of deep watering required for trees and palms with their deeper root systems.

4. **Pest Control:** Keep plants free of injurious insects and diseases by timely and proper applications of pesticides. The consumer should check the plants periodically for signs of pests. If a problem is noted, a leaf or stem of the plant should be brought to Top Cut representatives for inspection. Recommendations for treatment will be given at that time. If Top Cut Lawn Care provides maintenance services, appropriate treatment will be provided.
5. **Cultivation:** Keep plantings free of weeds. This can be done manually or with proper application of various pre-emergent herbicides available at garden centers. This service is provided for the consumer when there is a maintenance contract with Top Cut Lawn Care.
6. **Palm Fronds:** Fronds of newly established palms should be left tied for a least three months or until new growth begins to emerge and replace old fronds. If the tie becomes loose during this period re-tie at same location making sure not to bind the fronds too tightly in order for new growth to emerge. Dead fronds offer support for new growth and should not be trimmed until new leaves are established.

**Authorized Signature:** *Louis Stewart* Top Cut Lawn Care, Inc.

**Acceptance of Warranty:** I have read the above Limited Warranty and understand all my responsibilities as a consumer.

Date of Acceptance: \_\_\_\_\_ Signature: \_\_\_\_\_

Please sign and return one copy.