



Christmas Trees Disclaimer

2023 Christmas Trees - New Tree

Species Selection and Tree Care: By applying to this program, you acknowledge and agree to the following terms and conditions set forth by Kinship Farm Corporation (“Kinship Farm):

Tree selection: You understand that the planting of a tree species is a collaborative decision between you, Kinship Farm, and their partners. Upon a site visit to the property, you acknowledge that Kinship Farm and their partners will provide professional guidance to ensure the best species for your area and its optimum health. The new plants will be approximately 2-2.5” in caliper and 12’-15’ in height. You will be presented with 6 or more species offerings that will do well on the property site.

Professional guidance: Kinship Farm and their partners will offer their expertise and professional guidance to assist you in making informed decisions about the tree species. This guidance is aimed at ensuring the long-term health and vitality of the tree, with the goal of it maturing into a majestic heirloom for future generations to enjoy.

Property designated and caretaker: As the recipient of a new tree, you understand as the property owner or designated representative (collectively, the “Owner”), you are expected to assign a designated caretaker. This caretaker must be present at the time of planting and will receive all instructions regarding the care of the tree. The designated caretaker assumes the responsibility of being the future guardian of the planted tree.

Tree care instructions: You acknowledge that Kinship Farm and their partners will create a mulch ring around the newly planted tree and will provide detailed instructions on the care and maintenance. It is the responsibility of the designated caretaker to adhere to these instructions to ensure the tree's well-being and longevity.

No guarantee of tree placement or survival and liability disclaimer: While every effort will be made to accommodate your tree preferences, Kinship Farm and their partners cannot guarantee that every requested tree will be available or can be planted on the property or the survival of the new tree. The final selection may be influenced by factors such as property lines, soil conditions and space availability. Various factors such as environmental conditions, the overall health of the newly planted tree and the Owner’s after care efforts play a role in the future health of the tree. These factors can influence the future outcome and it is agreed that neither Kinship Farm nor their partners will be held responsible for the survival or thriving of the tree past the planting and detailed instructions provide to Owner. Kinship Farm and their partners shall not be held liable for any damages, losses, or issues that may arise as a result of the tree provided. This includes but is not limited to changes in tree health, unforeseen events, natural disasters, and impacts on any object, man-made or natural, within the vicinity of the tree.

The Owner shall be responsible for approving a site for the new tree(s) which does not include underground hazards within 24 inches of the surface. The Owner will be responsible for a “Dig Safe Inc.” inspection. In no event shall Kinship Farm or their partners be responsible for damage to undergrounds hazards, including, but not limited to, irrigation lines, underground tanks, or buried lines, at the place of excavation. In the event an underground hazard is struck, the area will be left open for repair by trained repair personnel and such repair shall be at the sole cost and expense of the Owner.

Tree planting date: The Owner agrees to provide necessary access to the planting area for the purpose of assessment and planting of the new tree. The planting date will be scheduled in consultation with Kinship Farm and their partners and the designated caretaker. It is expected that the caretaker will be available on the agreed-upon date for the planting process.

By participating in the ‘*Christmas Trees*’ planting program, you agree to the terms outlined above and acknowledge that Kinship Farm and their partners are not liable for any issues that may arise due to factors beyond their control. By signing this Disclaimer, you acknowledge that you are the owner of record of the property or the authorized representative of the owner of record. Thank you for your commitment to the preservation and cultivation of the tree for the benefit of current and future generations.

Signature: _____

Date: _____

Print Name

Relation to Property