

HYDRACX²

EXTREME SLOPE MATRIX

Ultimate Assurance Guarantee – Spray with Confidence!

When you design your project using the most recent version of the North American Green HydraCX²™ Design Estimator in effect at the time of your application, you can be confident that the product will work just as designed. That's our ultimate assurance guarantee!

North American Green, Inc. ("North American Green") hereby guarantees the performance of HydraCX²™ Extreme Slope Matrix sold hereunder, provided HydraCX²™ is used in the application designed and specified by a qualified engineer or North American Green technical representative prior to product installation in accordance with the most recent version then in effect of the North American Green HydraCX²™ Design Estimator. All conditions for product usage as stated within the Design Estimator and as stated herein must be satisfied in order for the provisions of this guarantee to apply.

In order to qualify for this guarantee, the project and associated design information must be registered with North American Green prior to installation of the product. Seedbed preparation, seed application and product application must be in accordance with North American Green's published and/or written recommendations.

THIS GUARANTEE EXPRESSLY WARRANTS THE PERFORMANCE OF NORTH AMERICAN GREEN'S HYDRACX²™ IN CONTROLLING SURFACE EROSION OF SOILS DUE TO THE NATURAL FORCES OF RAINFALL. SOIL EROSION CAUSED OR EXACERBATED BY INTERNAL STRUCTURAL INSTABILITY OF THE SOIL MASS, SLUMPING OR SETTLING OF UNDERLYING SOILS, INSUFFICIENT DRAINAGE OF GROUND WATER OR PIPING OF GROUND WATER THROUGH THE SOIL SURFACE LAYER, OR EROSION INITIATED AND/OR EXACERBATED BY HUMAN ACTIVITIES (INCLUDING USE OF VEHICLES OR EQUIPMENT), ACTS OF GOD (INCLUDING FLOODS, HURRICANES, TORNADOES, OTHER ABNORMAL CLIMATIC EVENTS), THE ACTS OR OMISSIONS OF OTHERS NOT UNDER CONTRACT TO NORTH AMERICAN GREEN FOLLOWING APPLICATION OF HYDRACX²™ ARE EXPRESSLY EXCLUDED. OVERLAND FLOW AND CONCENTRATED FLOW SCENARIOS REQUIRE HYDRACX²™ TO BE REINFORCED WITH A NORTH AMERICAN GREEN ROLLED EROSION CONTROL PRODUCT (RECP).

Due to uncontrollable environmental factors that affect seed germination, North American Green does not guarantee the germination of the seed utilized. Specific performance and failure criteria are exclusively defined within the following product guidelines.

Temporary Slope Protection – HydraCX²™ will reduce maximum soil loss to below the designated Soil Loss Tolerance (SLT) through the specified protection period up to 50% of the estimated protection period (as selected in the Design Estimator), assuming the calculated Maximum Soil Loss (MSL mat) for the product is less than or equal to the Soil Loss Tolerance; all factors used in the soil loss calculations are congruent with the actual application; and the slope

is not subjected to rainfall conditions following application, which exceed the projected R (rainfall) factor used in the calculations.

IF IT IS DETERMINED THAT HYDRACX²™ WAS PROPERLY APPLIED AND FAILED WITHIN 50% OF THE ESTIMATED PROTECTION PERIOD, NORTH AMERICAN GREEN SHALL PROVIDE THE FOLLOWING MATERIALS FOR REPLACEMENT IN THE SPECIFIED AREA/S IN WHICH SUCH FAILURE OCCURRED: HYDRACX²™, SEED, FERTILIZERS AND SOIL AMENDMENTS. THIS IS THE EXCLUSIVE REMEDY UNDER THIS GUARANTEE.

IN NO EVENT SHALL NORTH AMERICAN GREEN BE RESPONSIBLE OR LIABLE FOR ANY LABOR AND/OR EQUIPMENT COSTS ASSOCIATED WITH TOPSOIL REPLACEMENT, SEEDBED PREPARATION, OR INSTALLATION OF ANY MATERIALS. NORTH AMERICAN GREEN SHALL NOT BE LIABLE FOR ANY DELAYS OR DAMAGES OF ANY TYPE OR DESCRIPTION, AND ITS LIABILITY UNDER THIS WARRANTY SHALL BE LIMITED SOLELY TO THE AFORESAID REPLACEMENT OF MATERIALS.

All projects and associated design information must be registered with North American Green prior to application of the product. Upon receipt of the project registration information, North American Green will acknowledge registration of the project and reply with a Project Registration Number that must be retained by the customer for future reference.

All claims under this warranty must be made in writing within ten (10) days after a failure has occurred and within 50% of the estimated protection period. All such claims must be in writing and include the Project Registration Number. All claims must be sent by physical mail, e-mail or fax to the following address:

North American Green, Inc.
Ultimate Assurance Guarantee Claims
5401 St. Wendel-Cynthiana Road
Poseyville, IN 47633
Fax: (812) 867-0247
E-mail: MatriCx@nagreen.com

Upon receipt of written claim, North American Green and/or its authorized distributor will reply with a Guarantee Claim Form that must be completed by the claimant and returned to North American Green or its authorized distributor. Following receipt of the Claim Form, North American Green and/or its authorized distributor shall promptly inspect the application and shall provide the customer with written acceptance or denial of the claim within ten (10) business days of such an inspection.

OTHER THAN AS EXPRESSLY SET FORTH HEREIN, NORTH AMERICAN GREEN HEREBY EXPRESSLY DISCLAIMS ANY AND ALL OTHER WARRANTIES, EXPRESSED, IMPLIED OR STATUTORY INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.



Ultimate Assurance Guarantee Registration Form

Date: _____

Name of Designer/Engineer: _____

Company Name: _____

Contact Name:
(If different than Designer/Engineer) _____

Contact Phone Number: _____

Contact E-Mail: _____

Contact Address: _____

Project Name: _____

Project Location (City/State): _____

Expected Date of Application: _____

Estimated Protection Period (mo): _____

**Estimated Total Square
Yards of Product on Project:** _____

Slope Length (ft): _____

Slope Gradient (_H:1V): _____

Soil Type: _____

Application Rate (lb/acre): _____

NOTE: *The North American Green HydraCX²™ Design Estimator analyses must be included along with this form. Upon acceptance of this registration by North American Green, you will be provided an Ultimate Assurance Guarantee Registration Number that must be submitted with any future claims.*