



2008-2009 Application for Use of Alabama Forest Owners' Association's Timberland Liability Group Insurance Policy



For Protection from Liabilities Related to Trespass and Non-commercial Guests.
Coverage may extend to forestland outside Alabama if owner is Alabama resident or owns some forestland in Alabama.

Designed for the small forest landowner, the policy is provided through Davis-Garvin Agency, Inc., Columbia, SC. The one-year group policy becomes effective May 1, 2008, and will remain in effect to May 1, 2009. **Coverage begins on or after May 1, 2008, based on date of receipt of correctly completed application and full payment.** About 550 AFOA members used the 2007-2008 policy.

Membership: A landowner must be a member of the Alabama Forest Owners' Association to use the group insurance policy. If your membership dues are due, you may include payment for one year's membership dues at the \$15, \$25, or \$150 membership level.

Advantages

Landowner certain of adequate liability coverage
Affordable insurance for small timberland owners

Coverage includes

Commercial General Liability Coverage
\$1,000,000 per Occurrence
\$2,000,000 Aggregate per Landowner
Deductible: \$250.00 per Occurrence
2001 Occurrence Form
Special Rating Basis for Small Timberland Owners

No refunds will be issued for cancellations.

Application must be filled out completely in order to be processed. Applications subject to approval by Davis-Garvin Agency.

Name of Landowner _____

Name of Person Representing Landowner _____

Mailing Address _____

City, State & Zip Code _____

Home Telephone _____ Office Telephone _____

Fax Number _____ E-mail Address _____

Location and Number of Acres (Give legal description - Include county names) _____

What is land used for? _____

Losses in Past Five Years _____

Other Entities To Be Insured _____

Are locations fenced or posted? _____ yes _____ no

If no, explain _____

Any leased hunting? _____ yes _____ no Does Hunting Club Maintain Insurance? _____ yes _____ no

If no, explain _____

Any Buildings? _____ yes _____ no

If yes, explain _____

Any Lakes or Ponds? _____ yes _____ no

If yes, explain _____

Any Watercraft or Docks? _____ yes _____ no

If yes, explain _____

Any Dams/Spillways/Bridges? _____ yes _____ no

If yes, explain _____

Any Property Ever Used For Mining? _____ yes _____ no

If yes, explain _____

LINK:

POLICY ID #:

Signature of Landowner

Applications are subject to approval by Davis-Garvin Agency

Mail Application with payment to:

AFOA - Timberland
P. O. Box 361434
Birmingham, AL 35236



Questions: Call: (205)987-8811
Fax: (205)987-9824
Email: afoa8@aol.com

Calculation of Fees (no fractional acres, please)

Membership dues

\$15 Regular, \$25 First Class, \$150 Sustaining \$_____.

Annual Insurance Fees

Processing Fee: \$30.00

Acreage Fee (39 cents/acre x _____ acres): + \$_____.

Total Annual Insurance Fees: \$_____.

Total Amount Enclosed (insurance & membership): \$_____.

Overpayments of \$5+ will be refunded. Overpayments of less than \$5 will be retained as a donation.

Space reserved for
AFOA use.

Timberland Liability Insurance Specifications

Liability: the state of being legally obligated or responsible.

The litigious nature of society has increased the timberland owner's concern with the inherent liability attached to ownership of property. Common law principles provide the legal parameters for the rights and duties of landowners. Under common law a landowner has a duty to invitees, licensees, and to a lesser degree, trespassers, on their property. Simplified, a landowner has a duty to inspect the property, remove hidden dangers, keep the property in reasonably safe condition, and take precautions to protect a user from foreseeable danger.

Several recent court cases have given some indication of a broadening of the scope of these parameters. An Illinois high court recently ruled that a landowner can be held negligent for a trespasser's injuries "caused by a condition" if the landowner could have reasonably anticipated the trespasser's presence. The U.S. Supreme Court refused to review the case thus, creating another exception to the limited liability landowners have for injury to trespassers.

In response to these developments, the Davis-Garvin Agency has developed a timberland liability insurance program that provides **legal liability** coverage for timberland owners. This coverage is designed to provide general liability protection to landowners. The insurance agreement used to provide coverage states "pay on behalf of the insured all sums which the insured shall become **legally obligated** to pay as damages because of bodily injury or property damage caused by an occurrence arising out of ownership or use of the designated timberland." The legal obligation clause is a broad insurance statement that provides **protection to landowners that may be held legally obligated or responsible for a negligent act**. As a liability policy, coverages are intended for third-party claims against timberland owners.

Coverages within this program are shaped by the exclusions presented in the policy. All liability insurance policies provide these exclusions that define the liability coverages. Some examples of these exclusions are bodily injury or property damage arising out of use of any automobile, or aircraft; bodily injury or property damage arising out of discharge of smoke, vapors, soot, or pollutants; any obligation for which the insured may be held liable under workers' compensation; property in the care, custody, or control of the insured; assault and battery; hunting leases or commercial hunting; and damage by fire.

Type of Insurance: Commercial General Liability Insurance

Limit of Liability: \$1,000,000 per occurrence (bodily injury and property damage)/\$2,000,000 aggregate per landowner

Deductible: \$250.00 per occurrence

Coverages Included: Owners, landlords, and tenants liability coverage for vacant timberland. Liability coverage from ownership and use of vacant timberland.

Occurrence Form: 2001 Occurrence Form

Insurance Company: Certain Underwriters at Lloyd's, London

(All coverages are subject to the terms, conditions, or exclusions presented in the policy.)