



# 2009-2010 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 Outdoor Underwriters, Inc., Columbia, SC. The one-year group policy becomes effective May 1, 2009, and will remain in effect to May 1, 2010. **Coverage begins on or after May 1, 2009, based on date of receipt of correctly completed application and full payment.** More than 600 AFOA members used the 2008-2009 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, \$27, 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 Outdoor Underwriters, Inc.*

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 \_\_\_\_\_

**Signature of Landowner**  
*Applications are subject to approval by Outdoor Underwriters, Inc.*

LINK: \_\_\_\_\_ POLICY ID #: \_\_\_\_\_

### Calculation of Fees *(no fractional acres, please)*

**Membership dues**  
 \$15 Regular, \$27 First Class, \$150 Sustaining: \$\_\_\_\_\_.

**Annual Fees Related to Insurance**  
 AFOA Processing Fee: \$30.00  
 Acreage Fee (\*24 cents/acre x \_\_\_\_\_ acres): +\$\_\_\_\_\_.

**Total Annual Insurance Fees:** \$\_\_\_\_\_.

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

\* Acreage fee includes an AFOA fee of 3 cents per acre.  
 Overpayments of \$5+ will be refunded. Overpayments of less than \$5 will be retained as a donation.

Space reserved for  
AFOA use.

**Mail Application with payment to:**  
 AFOA - Timberland  
 P. O. Box 361434  
 Birmingham, AL 35236



**Questions:** Call: (205) 987-8811  
 fax: (205) 987-9824  
 email: ewhitley@foa.org

## 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, Outdoor Underwriters, Inc. 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.)