

TIPS FOR SUCCESSFUL TIMBER CONTRACTS

- Hire a consulting forester to represent your interests in the sale.
- Consult with an attorney for counsel and advice.
- Always put any and all agreements with foresters, timber buyers, mills, and loggers in writing.
- Remember when it comes to settling legal disputes, written agreements supersede oral ones.
- Signing under duress or fraud voids a contract.
- Both parties must give consent to have an enforceable contract.
- Make sure you understand all parts of the contract, or courts will interpret them for you.
- Contracts entered into for illegal purposes are void.
- The buyer is usually liable for not performing as specified by the contract, when it is due to his/her own carelessness. When performance is beyond the buyer's control, the contract may not be enforceable, unless the buyer accepts responsibility.
- Make sure each party has a copy of any and all written agreements.
- A contract which gives the seller all the advantages and/or has too many provisions will probably not be accepted by the buyer.
- If the buyer is providing the contract, be concerned about what is included. Do not sign the contract just to get the sale completed.
- Buyers should know about any special provisions that the seller is including in the contract since they may affect prices.