



# RCP Shelters, Inc.

## *Limited Warranty*

RCP Shelters, Inc. (hereinafter "RCP Shelters") warrants that the pavilion will be free from defects in materials and workmanship under normal use for a period of five (5) years from the delivery date. The entire liability of RCP Shelters and its suppliers, and the exclusive remedy shall be for RCP Shelters to repair or replace materials found to be defective. The repair or replacement of materials shall be at the expense of RCP Shelters.

This limited warranty is void if any damage has resulted from abnormal use, abuse, accident, vandalism, maintenance or lack of maintenance, misapplication, service, or modification by someone other than RCP Shelters or its suppliers. This limited warranty excludes color fading within ten (10) nautical miles of any area retaining salt water or brackish water. Any replacement part under warranty is warranted for the remaining original warranty period or six (6) months, whichever is longer.

In the event of a claim of defect in materials and workmanship, RCP Shelters shall be placed on notice of defect in writing, delivered to RCP Shelters at the address indicated below, within thirty (30) calendar days from discovery of the defect in material and workmanship. No later than thirty (30) days from the date of receipt of the notice, RCP shelters will determine whether to repair or to replace defective materials and respond in writing to advise how RCP Shelters will proceed on the warranty claim.

RCP Shelters, on behalf of itself and its suppliers, disclaims all other warranties, express or implied, including, but not limited to, implied warranties of merchantability and fitness for a particular purpose for the pavilion and any accompanying materials required for pavilion installation.

Under any circumstances RCP Shelters and its suppliers will not be liable for any damages whatsoever (including without limitations, damages for lost profits, interruption of service, or other pecuniary or consequential loss) arising out of the use or inability to use the pavilion, even if RCP Shelters is advised of the possibility of such damages.

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**Project Name:** Community Park

**Project Location:** Miami, FL