



LIMITED WARRANTY

12 and 18 Month Material Warranty

Henry Pratt Company, LLC (Pratt) warrants each of its Hydro Gate products to be free from defects in material and workmanship for a period of one (1) year from the date of shipment for parts OR a period of eighteen (18) months from the date of shipment for all other goods, provided that such product was both: (1) under normal use and service and used for the purposes and under the conditions for which such product is intended; and (2) installed and maintained according to Pratt's instructions and applicable local codes.

Pratt's obligations under this warranty are conditioned upon prompt written notice of the defect from the purchaser. If any Pratt's Hydro Gate product is proven to have failed to conform to the above stated warranty, then Pratt, at its sole option, shall refund, repair, or replace the defective Hydro Gate product (F.O.B. the point of manufacture). Pratt shall have the right to inspect the Hydro Gate product for which a claim is made under this warranty. If Pratt requests such an inspection, then the purchaser must return the Hydro Gate product to Pratt, transportation prepaid.

This warranty does not cover failure of any Hydro Gate product caused by external forces such as, but not limited to, acts of God or the elements, civil insurrection, vandalism, vehicular or other impact, application of excessive torque to the operating mechanism, presence of foreign matter, or frost heave. The Purchaser shall assume all responsibility and expense for removal, reinstallation, and shipping charges in connection with this warranty.

THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING SPECIFICALLY, THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND ANY WARRANTIES OF NON-INFRINGEMENT OF THIRD PARTY RIGHTS. IN NO EVENT SHALL PRATT BE RESPONSIBLE OR LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGE. FURTHER, PRATT HEREBY LIMITS ITS TOTAL LIABILITY TO THE VALUE OF THE HYDRO GATE PRODUCT SOLD.