

ECI ELYRIA CONCRETE INC.
226 COMMERCE EAST
LaGRANGE, OHIO 44050
OFFICE: (440) 322-2750

TERMS AND CONDITIONS OF SALE

1. All delivery prices are for street curb delivery except where the curb and sidewalk are entirely bridged and protected and a good road provided to actual point of unloading inside of curb. The customer will assure all responsibility for any damages where delivery is made inside of the curb.
2. The customer will be responsible for cleaning the streets and sidewalks and for any fines or cost resulting from any dirt left by the mixers as a result of the bad condition at the place of delivery.
3. The customer will have no right to any claim for insufficient quantity without having advised the supplier at the time of delivery.
4. Purchaser agrees that all costs for repairs necessitated by damage to the Seller's trucks and / or equipment resulting from the Purchaser's method of unloading shall be borne by the Purchaser notwithstanding the absence of fault on the part of the Purchaser, Purchaser further agrees that all costs for repairs necessitated by damage to the Seller's trucks and / or equipment resulting from any cause due to the Purchaser's negligence while on the site of the work shall be borne by the Purchaser. It is further agreed that if conditions causing such damage are not corrected and damage is continued Seller reserves the right to discontinue deliveries until the cause of damage has been eliminated.
5. Purchaser's refusal to accept material, when delivered according to pre-arranged schedule, shall entitle Seller to reimbursement for actual damages sustained even if such refusal should be due to circumstances and causes beyond Purchaser's control Seller's breach of the contract shall not entitle Purchaser to consequential damages.
6. The cement used in this concrete is guaranteed to conform to current specifications of the American Society for Testing Materials and the United States Government. Seller has no control over the use of the concrete delivered and therefore cannot guarantee or assume responsibility for finished work in which it used. The concrete has a designated mix to meet strength requirements and / or cement factor requested by the customer or his agent. The addition of excess water, delay in unloading and like events involving the handling of concrete on the job makes it impossible to guarantee strength. THIS WARRANTY IS EXPRESSLY MADE IN LIEU OF ANY AND ALL OTHER WARRANTIES OF MERCHANTABILITY AND FITNESS.
7. Seller will not be responsible for concrete poured using a slump in excess of 5" (five inches).
8. Seller will not be responsible for contract made testing cylinders (either the results of the test thereof).
9. FINANCE CHARGE: If the Purchaser's account is not paid by the last day of the month following the month of the purchase, Seller will charge Purchaser a finance charge which is computed at a rate of 1-1/2% per month which is an ANNUAL PERCENTAGE RATE OF 18% or a minimum charge of \$1.00 for balances under \$100.00.
10. NO WARRANTY OR GUARANTEE AS TO MERCHANTABILITY OR FITNESS THEREOF FOR ANY PURPOSE IS MADE UNLESS THE SAME IS SPECIFICALLY SET FORTH ABOVE OR ON REVERSE SIDE OF THIS SALES TICKET. IN SUCH CASE, SUCH WARRANTY OR GUARANTEE IS LIMITED AS ABOVE PROVIDED.
11. Any authorization or modification of these terms or conditions must be in writing.
12. Additional terms and conditions set forth in our proposal / contract forms.

CAUTION

FRESHLY MADE CEMENT, MORTAR, CONCRETE OR GROUT MAY CAUSE SKIN INJURY. AVOID CONTACT WITH SKIN WHERE POSSIBLE AND WASH EXPOSED SKIN AREAS PROMPTLY WITH WATER. IF CEMENT OR CEMENT MIXTURE GETS INTO THE EYES, RINSE IMMEDIATELY AND REPEATEDLY WITH WATER AND GET PROMPT MEDICAL ATTENTION. KEEP OUT OF REACH OF CHILDREN.

MATERIAL DATA SAFETY SHEET

ELITE CONCRETE INDUSTRIES

IN CASE OF EMERGENCY CALL (440) 322-2750 IDENTITY OF MATERIAL READY MIXED CONCRETE HAZARDOUS INGREDIENTS AQUEOUS MIXTURE OF CALCIUM SILICATES ALUMINATES AND FERRITES PORTLAND AND BLEND CEMENTS.

(1) 3CaO S10 (CAS 12168-85-3), (2) 2CaO S10 (CAS 10034-77-2), (3) 3CaO A1O (CAS 23042-78-3), (4) 4CaO A1FE O (CAS 12068-35-8), (5) CaS04 2H2 (CAS 7778-18-9) PLUS TRACES OF CaO MgO, K2SO4 & Na2SO4

OTHER INGREDIENTS: CONCRETE AGGREGATES, INERT GRAVEL, SAND AND ROCK. ADMIXTURES MAY INCLUDE FLY ASH GRANULATED SLAG, AND VERY SMALL AMOUNTS OR ORGANIC AND INORGANIC MATERIAL WHICH HAVE NO EFFECT ON THE HAZARDS ASSOCIATED WITH USE OF PRODUCTS PHYSICAL / CHEMICAL CHARACTERISTICS.

BOILING POINT N/A

VAPOR PRESSURE N/A

VAPOR DENSITY N/A

SPECIFIC GRAVITY +/-2 30

REACTIVITY DATA STABLE

MELTING POINT N/A

EVAPORATION RATE N/A

SOLUBILITY SIGHT (0.01 TO 1%)

APPEARANCE & ODOR GRAY PLASTIC FLOWABLE GRANULATE MUD ODORLESS
HAZADOUS POLYMERIZATION NONE.

HEALTH HAZARD DATA

ROUTES OF ENTRY: INHALATION N/A, SKIN YES, INGESTION N/A.

ACUTE HEALTH HAZARDS: CONTACT DERMATITIS AND / OR SEVERE BURNS POSSIBLE WITH PROLONGED OR REPEATED CONTACT WITH UNPROTECTED SKIN WHEN PRODUCT IS IN THE UNHARDENED STATE.

CHRONIC HEALTH HAZARDS: HYPERSENSITIVE INDIVIDUALS MAY DEVELOP AN ALLERGIC DERMATITIS WITH REPEATED CONTACT WITH PRODUCT IN THE UNHARDENED STATE. CARCINOGENOCITY: NONE KNOWN.

SIGNS AND SYMPTOMS IF OVEREXPOSURE IRRITATION AND/OR BURNING OF SKIN OR EYES.

PRECAUTIONS FOR SAFETY HANDLING AND USE: USE PROPER TOOLS AND EQUIPMENT. RUBBER BOOTS, RUBBER GLOVES AND PROTECTIVE CLOTHING COVERING ARMS AND LEGS SHOULD BE WORN. PERSONS WITH SENSITIVE SKIN SHOULD TAKE EXTRA PROTECTIVE PRECAUTIONS EMERGENCY AND FIRST AID PROCEDURES. CONTACT WITH EYES: IMMEDIATELY FLUSH EYES WITH COPIOUS AMOUNTS OF WATER AND CONSULT A PHYSICIAN. CONTACT WITH SKIN: THOROUGHLY WASH AFFECTED AREA WITH SOAP AND WATER. A PHYSICIAN SHOULD BE CONSULTED FOR SEVERE BURNS OR PERSISTANT IRRITATION.

The information herein is given in good faith and is based on knowledge believed to be reliable. No warranty expressed or implied is given regarding the accuracy of this data or the results obtained from the use thereof.