

**OVERVIEW OF
REQUIRED BILL OF SALE
FOR PURCHASE OF
TREES AND TIMBER**

Effective September 1, 2001, the Texas Natural Resources Code, Chapter 151.001, and following, requires a Seller to provide, and a Purchaser to obtain and retain for a period of two (2) years, a Bill of Sale (the "Bill of Sale Law"). Under the Bill of Sale Law, the Bill of Sale must, at a minimum, include the following information:

1. The Landowner's name;
2. The Seller's name if different than the Landowner;
3. The Purchaser's name;
4. A description of the land from which the timber is to be, or was, obtained, including the name of the county in which the land is located;
5. A general description of the timber; and
6. A representation that the Seller is the lawful owner of the timber, and that it is free from any liens, claims and demands of any third party.

As a service to its members, the Texas Forestry Association ("TFA") has created two forms of Bills of Sale which meet the requirements of the Bill of Sale Law, as follows:

1. Option "A" Form of Bill of Sale: This option was designed to meet the minimum requirements of the Bill of Sale Law.
2. Option "B" Form of Bill of Sale: This option includes slightly more information than required by the Bill of Sale Law. It demonstrates that the Bill of Sale may take many forms, including that of a Gatewood Identification Card, provided the required minimum information is included.

Should you have questions regarding the Bill of Sale Law, you may contact the TFA at 936-632-TREE.

OPTION "A"
FORM OF BILL OF SALE

Bill of Sale

Date:

Owner of Land:

Seller (if different than Owner of Land):

Purchaser:

Land (include a description of the survey or tract of land from which the trees, logs, pulpwood, or in-woods chips were or are to be obtained, or information from which the identity of the tract of land may be ascertained):

County (where the Land is located):

Transferred Property (include a general description of the trees, timber, logs, pulpwood, or in-woods chips conveyed):

Warranty: Seller, for ten dollars (\$10.00) and other good and valuable consideration, sells the Transferred Property to Purchaser. Seller warrants that Seller is the lawful owner of the Transferred Property, and that it is free of any liens, claims and demands of any third party.

SELLER:

By: _____
Printed Name: _____

OPTION "B"

Timber ID Card

(*denotes item is required by State Law)

Information for BOTH TEXAS & LOUISIANA

Seller/Timber Owner's Name* _____

Landowner's Name* _____

Product* _____

Description of the Tract of Land* _____

County/Parish* _____

Information for TEXAS ONLY

Purchaser's Name* _____

Survey _____ Abstract _____

Information for LOUISIANA ONLY

Scale Ticket #* _____

Log Book Load #* _____

Section _____ Township _____ Range _____

Producer (Subcontractor)* _____

Truck Driver's Name (from CDL)* _____

Truck Driver's Signature* _____

By delivering and/or accepting payment for the product identified by the above information, seller warrants to be the lawful owner and furthermore declares the product to be free and clear of all liens, security agreements, encumbrances, claims, demands and charges.

The primary function of the above format for timber identification is to assist purchasers and sellers of wood products to comply with Texas and Louisiana State Law. It is intended to be used as a "Wood ID Card" or a "Trip Ticket," determined by how the seller and/or buyer so choose.

It is also recognized that individual mills and/or purchasers may also require other types of ID (i.e. bar code cards, etc.) that will need to be obtained and presented upon delivery to those facilities. The Timber ID Card may not require the seller's signature if the compilation which makes up the bill of sale includes a cutting contract signed by the seller.