



Culver Park Department

2021 Pier Rental Lease Agreement: New Renter Package

The Town of Culver, IN, by and through its Park Department, herein called “Culver” hereby leases to _____ herein called “Tenant”, the use of docking pier space **C47** in the Culver Town Park on Lake Maxinkuckee in Culver, IN, for the term of the “boating season”, beginning on the date of execution of this lease until Oct. 20, 2021. The last day for pier installation is May 10, 2021. The actual boat and boatlift installation is to be arranged individually by the boat owner, not by the park department. The park department provides each marina with the pier slip assignments. Said pier space is to be used by the Tenant for the docking of the Tenant’s watercraft within said pier space. It is leased by Culver to said Tenant in consideration of one full payment of _____ **(rates on page 2)**. Please see the payment rates on page 2 for your amount to fill in the blank. The Culver Town Council sets all rental/lease rates annually. No Tenant is locked into or “grandfathered” into any prior rate. Should you have more than one watercraft you will need a separate lease for each one.

This lease and all its terms and conditions shall continue in full force and effect from the date of execution until Oct. 20, 2021, except that Culver may terminate this lease at any time in the event of violation of any of the covenants contained herein and or/rules and regulations accompanying the lease.

It is understood that boating is a potentially hazardous activity. The Tenant further agrees that this lease is made upon the express conditions that Culver shall be free from any and all liabilities and claims for damages and/or suits for or by reason of any injury to any person[s] or property of any kind whatsoever, whether to person or property of Tenant, or their agents, employees, guests, invitees, or other third persons, from any causes of action whatsoever while in, or upon said pier, or park area, or any part thereof during the terms of this lease or occasioned by any use therewith. The Tenant hereby covenants and agrees to indemnify and save and hold harmless Culver from liabilities, charges, and expenses [including attorney fees and court costs], and costs on account of or by reasons of any such injuries, liabilities, claims, suits, or losses however incurring, and any damages arising out of same.

2021 DATES & FEES

The dates of when the pier systems are to be installed and removed are May 10 to October 20.

Discount: If *paid in full by January 15, 2021 a 5% discount* will be applied and that rate appears in parenthesis. **Final Payment: Deadline for payment in full is February 15, 2021.** In order for a previous Tenant to reserve their previous slip space for the 2021 season, the Tenant must have their full payment and 2021 lease agreement turned in by February 15, 2021.

The park department pier slip fees are listed below. The fees are based on the location of the slip and renter residency or property ownership in Culver and Union Township.

Cost of Boat Slip	
Resident Slip	Non-resident Slip
Interior: \$1,000 (\$950)	Interior: \$1,250 (\$1,187)
Exterior: \$1,250 (\$1,187)	Exterior: \$1,500 (\$1,425)

PERSONAL WATER CRAFT- Located on ‘B’ & ‘C’ piers

Cost of PWC	
Resident PWC	Non-resident PWC
\$450 (\$427.50)	\$550 (\$522.50)

Kayaks, canoes, hobbie cats, sail fish, etc. pier rental/lease costs are as follows:

For Township residents is as follows:	For Non-Residents of Culver and Union Township:
\$200.00 (\$190)	\$300.00 (\$285)

PAYMENT OPTIONS

a] One payment in full due by January 15, 2021 to which the **5% discount** above applies. This full discounted payment must include the fully completed documents package with all signatures before lease will be granted. Payment, signed agreement, and all information must be submitted. *Should the 2021 boating registration information not yet be available at the time of payment, please submit that information by April 1st, 2021.*

b] One payment in full is due February 15, 2021. Payments may be made by check, money order, or credit card. Payment, signed agreement, and all information must be submitted.

Any payments not received by the Culver Park Department, plus the document package with all required signatures will necessitate the prospective Tenant’s application to be added to the bottom of the “wait list”, and the Tenant’s previous pier assignment will be open for reassignment.

Credit card payments accepted through paygov.us *additional fees will apply* credit card payments must be done in person, online, or via phone call at 574-216-0682.

Checks can be made out to the “Culver Park Department”

The application requirements to receive the Culver/Union Township rates and for non-residents for boats slips are as follows:

- 1) Applicants must mail in a signed copy and/or scan and email (park@townofculver.org) in a signed copy of the Culver Park Department Pier Lease; the application must be dated by the applicant, and will be dated upon its reception by the Culver Park Department. This will enable the application process to be on a first come first serve basis. If all spaces for the respective boat slips are filled, applicants may request to be added to a Wait List.
- 2) All lease payments for slips must be paid for in full before any boat lift or boat can be installed in the Culver Park boat docking system.
- 3) New boats must be 24 feet in length or less as of 2019. Those 2019 renters with boats 25-27 feet in length may continue to rent a slip for that specific boat.
- 4) Tenant will dock their boat only at the space assigned to the Tenant under this lease, unless otherwise directed by the Park Superintendent.
- 5) Tenant will install their own boat lift for their use within assigned pier area.
- 6) Tenant will remove their boat and boat lift from assigned docking space on or before October 20, 2021.
- 7) If Tenant does not have the Tenant's boat and boat lift removed by October 20th, 2021 the Culver Park Department and/or the firm hired by the Culver Park Department to install or remove Culver Park Department piers will not be held responsible, and the Tenant releases Culver Park Department from any and all liability for any damage or missing equipment to the Tenant's boat or boat lift and or equipment.
- 8) Tenant will not operate or allow the operation of a business of any kind from said pier or pier space.
- 9) Tenant will **not sublet** the pier space assigned to the Tenant for any reason.
- 10) Tenant will display the proper registration letters and numbers on the boat at all times.
- 11) Tenant may not assign the lease by inheritance or otherwise.
- 12) Any past Tenant or prospective new Tenant that does not have the signed contract and any and ALL required information and payments in to the Culver Park Department by **February 15, 2021** will have their application added to the bottom of the "waitlist" compiled by the Park Superintendent with the exception of current year boating registration due **April 1st, 2021**.
- 13) Tenant agrees to hold Culver harmless for any and all damage as a result of any action. This includes but is not limited to; if the Tenant's boat lift malfunctions and drops into the water, or if the Tenant's boat hits and damages the Culver Park Department Pier in any manner, the Tenant accepts the total responsibility for all financial costs for the pier repairs. Tenant has ten [10] working days to have any damage to piers repaired by a licensed local pier installer approved by the Culver Park Superintendent. Violators of this rule regarding pier repairs will be subject to written notice of termination of Tenant's lease at least ten [10] days from the date of the damage to the piers.

Town of Culver Park Department by _____ Date _____
Amber Cowell – Culver Park Superintendent p. 574-216-0682 e. acowell@townofculver.org

 **Tenant Signature:** _____ Date: _____

Printed Name: _____

PIER SLIP RENTALS OVERVIEW

The Culver Park Department is a gateway for boaters to access Lake Maxinkuckee through rented pier slips. The park is not a marina and does not possess the capacity to operate as such. The park coordinates with the four marinas in Culver, each marina receives a copy of the master list of pier slips and the renters name next to their assigned slip. They have their own system for placing the boat lifts and boats in the correct slip each spring and storing them each fall.

Park Provides	Renter is responsible for
Pier system installation/removal	Turning in a completed contract each year
Access to each boat slip from pier system	Coordinating with marina of their choice for delivery and pick-up of their boat and lift at the beginning and end of the rental period.
Boat slip	Boat lift – watercrafts must be on a lift
Space for PWC lifts & ladders to get into the lake from B & C pier to access PWC lifts	All PWC must be on their own lift
Rack for kayaks/small sail boats & ladders to get into the lake to access rack from water	Ability to dock boat(s) in assigned boat slip

BOATING SEASON TIMELINE

- The boating season occurs between May 10 and October 20 of each year.
- Early spring: park superintendent gives the marinas each a master copy of the pier space assignments for that season.
- As soon as the lake thaws and weather permits, piers may be installed through May 10.
- The park is responsible for the pier installation. The park does not have jurisdiction over when the privately-owned boat lifts and boats are installed in the slip space by the marinas.
- Starting October 20, the piers are being taken out of the lake and stored on shore. Tenants are encouraged to coordinate with a marina to remove their lift and boat.

2021 PIER LEASE RULES AND REGULATIONS

- 1) Follow all Culver park rules and guidelines as stated in the park including no liquor, beer or wine shall be used by the Tenant or by the Tenant’s guests or invitees on said pier or within the park.
- 2) No excessive noise or disturbance will be made by the Tenant or by the Tenant’s guests.
- 3) Tenant and guest will not anchor in between the swimming section and the courtesy pier.
- 4) Tenants and guests must swim inside of the designated swimming area and not off of the courtesy pier.
- 5) Take trash and full trash bags from your boat with you as you leave the park or find another empty trash can in the park. Park dumpster, located next to the Town of Culver’s water tower.
- 6) The Tenant will bring no vehicles into said pier area or in the vicinity of the pier area without a copy of a state issued handicap sticker/hang card attached to Tenant’s vehicle. Please see the ‘check list’ on the next page for information.
- 7) The Tenant will launch no boats or watercraft from said pier other than the craft assigned to slip.
- 8) Tenant and guest and invitees will NOT use the docking pier for swimming.
- 9) Tenant will provide and use a lock for the Tenant’s non-electric boat lift.

- 10) **Boat motors must be in the down position and not in the extended position to allow easier and safe maneuvering between piers.** Violators of this rule will be subject to written notice of potential termination of the Tenant’s lease should the violation continue to occur.
- 11) In order to insure clear visibility and maneuvering of all watercraft entering and exiting the pier slips no “Touchless Covers”, or any drop-down side covers will be permitted in the Culver Park pier system.
- 12) All Tenants are restricted to one boat slip, until all applicants for boat slips have been satisfied, at which time applications for extra may be considered by the Culver Park Department.

REFUND POLICY

If the Tenant so chooses to request a refund after full payment, the Tenant must fill out a “Culver Park Refund Request Form” which can be communicated and processed via email or in person. The following deadlines and refund deductibles will apply:

- Any date before February 15, 2021 – a full refund of Tenant’s payment will be granted.
- Any date between February 15-May 30, 2021 – \$100 processing fee for lease agreement, boat registration, and proof of residency filing will be deducted from Tenant’s full payment.
- Any date between May 31-June 30, 2021 – \$200 processing fee for lease agreement, boat registration, and proof of residency of filing, and boat space occupancy will be deducted from Tenant’s full payment.
- Any date between July 1-July 15, 2021 - \$300 processing fee for lease agreement, boat registration, and proof of residency of filing, and boat space occupancy will be deducted from Tenant’s full payment.
- Any date on or after July 16, 2021 – no refund amount will be granted to Tenant.

Neither party is responsible for any failure to perform its obligations under this contract, if it is prevented or delayed in performing those obligations by an event of force majeure. Examples include but are not limited to severe acts of nature or weather events including floods, fires, earthquakes, hurricanes, or explosions; war, acts of terrorism, and epidemics.



Tenant’s Signature: _____ **Date:** _____

2021 TENANT INFORMATION

NAME: _____ **PHONE:** _____

MAILING ADDRESS: _____

CITY/STATE/ZIP: _____

EMAIL: _____

LIFT INSTALLER (Marina): _____

WATER CRAFT INFORMATION

VIN OR HULL ID: _____

WATER CRAFT TYPE: _____

MAKE: _____

MODEL: _____

LENGTH: _____ YEAR: _____

INSURANCE INFORMATION

INSURANCE COMPANY: _____ PHONE NUMBER: _____

POLICY NUMBER: _____

For the resident slip fee, Tenant must provide the Culver Park Superintendent with either:

A Current tax bill showing that the Tenant is the owner of the taxable real estate in either the town of Culver, IN or Union Township, Marshall County, IN

OR

A copy of your driver’s license to satisfy proof of residency. Such proof of residency will ensure the 2021 Culver/Union Township boat slip rate. Otherwise the outside rate will be charged.

All boat slip renters must provide:

A valid watercraft registration, showing that said watercraft is in fact registered in the name of the tenant.

 Tenant Signature _____ Date _____

Handicap golf cart parking: A copy of a state issued handicap sticker must be included. If approval is granted, a park issued sticker will be provided and must be placed on the town issued sticker. The application for a golf cart permit are available at the Culver Town Office or maybe sent by email upon request.

- Please include a photo copy of your current handicap pass.
- You will receive a handicap sticker to place on your golf cart permit stating that you are permitted to park the golf cart near the pier. Please keep off of all walkways and driveways.