

## Wilmington Marine Service LLC Hurricane Storage Club Agreement—2020

Name\_\_\_\_\_

Address\_\_\_\_\_

City\_\_\_\_\_State\_\_\_\_\_Zip\_\_\_\_\_

Phone\_\_\_\_\_

Email\_\_\_\_\_

Boat Name\_\_\_\_\_

Power or Sail\_\_\_\_\_

Length\_\_\_\_\_

Beam\_\_\_\_\_

Draft\_\_\_\_\_

Boat's Insurance Co. \_\_\_\_\_

Policy Number \_\_\_\_\_

Insurance Point of Contact \_\_\_\_\_

Marina's Representative (receiving Agreement):

Printed Name:\_\_\_\_\_

Signature:\_\_\_\_\_

Date:\_\_\_\_\_

## Conditions for the Hurricane Storage Club

1. Once the National Hurricane Center has issued a hurricane or tropical storm watch, it is the owner's responsibility to be aware of the watch and contact Jared Cass at 910-395-5016 for specific instructions. **Absent specific prior written request/permission from the Owner to proceed in his/her absence, any Owner not at the Wilmington Marine dock at the time of the scheduled haul out WILL FORFEIT their haul out.**
2. All vessels shall be properly prepped by owners for a hurricane. Wilmington Marine Service is not responsible for damages to vessels that are not storm ready. This includes but not limited to personal items, loose equipment, Bimini or canvas tops and outriggers. (An owner with questions about "storm readiness" must contact Wilmington Marine Service in writing.)
3. Membership in the Hurricane Storage Club begins June 1, 2020 and ends May 31, 2021. This may be renewed annually. Wilmington Marine Service will send out renewal invoices at the end of April/early May.
4. There are no refunds given regardless if the National Weather Center issues a hurricane or tropical storm in the area.

5. All boats must have insurance. Wilmington Marine Service must receive a copy of the Declaration Page of the insurance prior to becoming a club member. Please contact Jared Cass for information on the insurance requirement (which includes but is not limited to listing Wilmington Marine Service as an additional named insured.) ***FAILURE TO PROVIDE PROOF OF VALID INSURANCE WILL VOID THIS CONTRACT.***
6. The price for membership into the Hurricane Storage Club is \$1,495. Fees do not include the 7% sales tax.
7. As a club member, all standard rates for Haul/Block/Launch will apply. If the boat has a beam less than 19' and/or is under 50' in length, the rate is \$11 per foot. If the boat has a beam between 19' and 24' and/or is 50' and over in length, the rate is \$16 per foot. As a member, you will avoid the emergency haul out rate that will be in effect for the storm.
8. Normal rates apply for storage. Refer to the price list for the daily/weekly storage rate.
9. Wilmington Marine Service has the sole discretion to determine if the boat may safely be hauled-out from the water. If the boat is considered unsafe or puts employees or equipment at risk, the boat will not be hauled-out.
10. All charges must be settled before the boat is launched.



11. Wilmington Marine Service will not be responsible for collecting payment from any insurance company. It will be the responsibility of the owner to collect from the insurance company.
12. The owner of the boat understands and agrees that Wilmington Marine Service may have to transport the boat between 3410 River Rd and 3610 River Rd. (and authorizes such transport at the discretion of Wilmington Marine Service.)
13. THIS AGREEMENT AND ITS RIGHTS SHALL BE EXERCISED, USED AND ENJOYED AT THE SOLE RISK OF OWNER; PROVIDED, HOWEVER, THIS EXCULPATORY PROVISION SHALL NOT AVOID MARINA'S LIABILITY FOR INTENTIONAL, GROSS NEGLIGENCE, OR WANTON MISCONDUCT.
14. In the event of disagreement, the Owner WAIVES HIS/HER RIGHT TO TRIAL and acknowledges and agrees that his/her exclusive remedy will be via mediation to be held in New Hanover County, North Carolina pursuant to the North Carolina Rules for Mediated Settlement Conferences in Civil Superior Court civil actions.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_