

Motorized Watercraft Waiver and Agreement

Manistique Retreats, LLC dba Trails End Resort (Resort) agrees to rent a motorized watercraft (Boat) to Renter for the time specified and subject to all terms and conditions set forth below.

Inspection of Equipment - Renter will inspect equipment prior to use and leases it without any representations by Resort. If Equipment has damage or problems not listed on this agreement, Renter must notify the Resort before use of the Boat begins and on the first day of rental.

Damage to Equipment - Renter acknowledges and understands that equipment is to be left in clean, undamaged condition, in the same condition at commencement of the rental period. If rental Equipment is not left in suitable or the same condition, Renter acknowledges and understands that Resort reserves the right to charge Renter for any repairs or special cleaning to any cards on file or bill renter. Additionally, Renter understands and agrees that Resort reserves the right to charge for any damages, repairs, replacement or special cleaning of any damaged or lost real or personal property. Renter acknowledges, understands, and agrees that by signing this Rental Agreement, they are authorizing Resort to charge Renter for any damages sustained.

Prohibited Activities - The following activities are not permitted on the boat. Violation of this provision will result in the immediate termination of this agreement and forfeiture of all monies paid by the Renter, including the full amount due for the rental regardless how much time is remaining on the rental.

- Operating the boat while drinking alcohol or otherwise intoxicated by any other substance
- Operating the boat with more people on board than the boat is rated for
- Operating the boat in an unsafe manner
- Operating the boat by anyone under the age of 21.
- Operating the boat without the required number of life jackets and boat seat on board.
- Allowing pets weighing more than 85 lbs.

Renter Warranties and Representations

Renter represents and warrants that they:

- Are over the age of 21;
- Are familiar with the operation of the boat and motor and are legally able and competent to operate
- Will follow all laws governing operation of the boat and that they will comply with the laws and regulations at all times;
- Will operate the boat in a safe manner at all times and never while intoxicated or incapacitated.
- Understand the operation of a boat involves risks and assume all liability associated with its operation.
- Have reviewed both pages of the Coast Card Checklist
- Know there are areas of the lake too shallow to operate a motorized watercraft and operating in those areas can result in damage to the boat for which they are responsible.
- Know pontoon requires oil levels to be maintained at all times to avoid damaging the motor.

Release and Waiver of Claims - Renter does hereby remise, release, and forever discharge Resort, its agents, servants, successors, heirs, executors, administrators and personal representatives, of and from all, and all manner of, actions, causes of action, suits, proceedings, debts, dues, contracts, judgments, damages, claims, and demands whatsoever in law or equity, which Renter ever had, now has, or which Renter's heirs, executors, administrators or personal representatives hereafter can, shall, or may have for or by reason of any matter, cause, or thing whatsoever arising out of this Agreement; out of the use, misuse, or abuse of the Boat or motor; or in any way arising out of the rental relationship between Renter and Resort.

Renter is solely responsible for any and all medical or other bills or costs related to damages that you or your passengers may incur as a result of your use of the watercraft and outboard motor rented. You also agree that operators of any watercraft are legally able to do so in the jurisdiction in which it is operated.

WALK THRU CHECKLIST:

- Lower lift only enough to get boat off. This way it will catch you on the way back in.
- Boat should be lifted completely out of the water.
- Tilt motor up slightly (using trim) to avoid hitting bottom when going out or coming back in, ensuring that lower unit is still submerged
- Ensure enough life jackets on board for each passenger and 1 throwable boat seat
- Note emergency paddle on board
- Note use of lights after dusk
- Note shallow areas of the lake to avoid Use lights after dusk
- Note use of horn in emergencies
- Note how to use live well