



RENTAL AGREEMENT FOR USE OF JAMES H. NANCE PARK PAVILION(S)

Name of Applicant: _____

Address: _____

Home Phone: _____ Work Phone: _____ Cell: _____

Occasion (please be specific): _____

RENTAL FEE SCHEDULE

_____ Nance Park Small Pavilion Two (2) picnic tables. Located near the Playground.

_____ Nance Park Large Pavilion Four (4) picnic tables. Located near the Volleyball Court.

Payment of \$25.00 is made in the form of Check (preferred), Cash or Money Order.

In addition, a separate \$25.00 deposit will be collected on all rentals-refundable provided the area is left in good condition. Violations will result in the loss of the damage deposit.

Parties must adhere to the following rules when using the pavilion(s):

1. Nance Park hours are 6:00 a.m. to 1:30 a.m.
2. Parking is metered. Seventy-five cents (\$0.75) per hour.
3. The parking meters shall be operated in the parking meter zones everyday including Sunday(s) and Holiday(s).
4. No vehicles on grass area.
5. Beach parking permits are *not* valid in Nance Park.
6. There is no grill/ bbq equipment provided. You may bring a small portable one, with no cooking under the pavilion(s).
7. No pets permitted.
8. Pavilion(s) and areas must be left clean and ready for future use.
9. The electrical outlets at the large pavilion are not guaranteed to work.
10. No alcoholic beverages.
11. Children should not be left unsupervised. Parents are responsible for the conduct of their children.
12. Brevard County lifeguards will be manning Indialantic's three beach towers from 10:00 a.m. to 5:00 p.m. as follows:
 - a. Spring Break (daily coverage) April 04 through April 12, 2009.
 - b. Weekend Coverage April 18 through May 25, 2009.
 - c. Summer Coverage May 29 until the day before school resumes for the 2009/2010 school year.
 - d. Weekend Coverage weekend after the start of the 2009/2010 school year through October 31, 2009.

Date of Requested Reservation: _____ Begin Time: _____ End Time: _____

Payment Received: _____ \$25.00 (Check Number) Rental Fee _____ \$25.00 (Check Number) Deposit Fee

Please check one: _____ (Check Number) Return Deposit Check _____ (Check Number) Shred Deposit Check

AGREEMENT, executed this _____ day of _____, 2009, between the Town of Indialantic (hereinafter called the Town) and _____ (hereinafter called the Renter).

The Town is willing to permit the Renter to utilize park pavilions subject to the following guidelines and restrictions:

The Town of Indialantic will accept reservations for the use of the park pavilions on a rental basis for private and organizational parties. Organizations wishing to use a park for a fundraiser must get prior approval by submitting a written request to the Town Manager. Renters must complete the necessary forms and pay rental fees one week in advance of the scheduled function date. Refunds must be requested 24 hours prior to the scheduled event. No refunds or credits will be issued due to weather.

The Renter shall not deface or damage any structure or landscaping in the reserved area. Any damage done in the reserved area during the reserved time shall be presumed to be caused by the Renter. The Renter will be responsible for reimbursing the Town such sums necessary to repair the damage. The Renter shall sign a separate agreement holding the Town and designated officers harmless from liability or responsibility for damages, injuries or deaths associated with Renter's use of the Town facilities, which affidavit shall be appended hereto. Prior to executing this agreement, the Renter acknowledges having read the above Agreement for reserving the Town pavilion and agrees to be bound thereby.

HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

AGREEMENT, executed this _____ day of _____, 2009, between the Town of Indialantic, hereinafter called the Town, and _____, hereinafter called the Renter.

Whereas, the Renter wishes to utilize the pavilion facilities located in a park within the Town; and

Whereas, the Town is willing to allow the Renter to utilize the facilities.

NOW, THEREFORE, it is agreed as follows:

1. The Renter agrees to hold the Town, its elected and appointed agents, officers and employees harmless from any liability, claim, cause of action, demand or damages for injury or death, or damages of any kind or nature whatsoever, caused or associated with the use of a pavilion or operation of equipment located on the premises of the park, unless such injuries, death or damages were a direct result of a negligent act of omission on the part of the Town.
2. The Renter agrees to pay any and all attorney's fees and costs to the Town, and any of its agents, officers or employees, for any liability, claim, cause of action, or demand against the Town or any of its agents, officers and employees, for any reason for which this Agreement covers, irrespective of whether a lawsuit is filed.
3. The Renter assumes full responsibility for any loss, damages, injuries or death to property or persons as a result of his/her occupancy of the park pavilion.
4. The person executing this Agreement is authorized to execute it on beha If of the Renter.
5. The Renter agrees to bind his/her heirs, executors, assigns and all other legal representatives by executing this Agreement.
6. By executing this Agreement, the undersigned acknowledges that he/she has read this Agreement, understands the contents thereof, and has been advised to seek independent counsel of his/her own choice and further certifies that he/she has freely and voluntarily executed the Agreement on behalf of the Renter.

Renter _____ Authorized Town Employee _____

State of Florida
Brevard County

The foregoing HOLD HARMLESS AND INDEMNIFICATION AGREEMENT was acknowledged before me this _____, 2009, by _____, who is personally known to me and/or who has produced _____, as identification.

Notary Public: _____

Notary Stamp:

**TOWN OF INDIALANTIC, 216 FIFTH AVENUE
INDIALANTIC, FLORIDA 32903
8:00 A.M. TO 5:00 P.M.
321-723-2242 OFFICE & 321-984-3867 FAX**

**INDIALANTIC POLICE DEPARTMENT, 220 FIFTH AVENUE
INDIALANTIC, FLORIDA 32909
24 HOURS/ 7 DAYS A WEEK "321-723-7788"**

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