

BRIEFS

EHRlich SIGNS ABOARD AT WESTERN GOLF

SCOTTSDALE, Ariz. — Wendy Ehrlich has joined Western Golf Properties as director of sales and marketing. She will expand and strengthen the marketing department, the company said, and provide additional support to the 22 courses currently managed by Western Golf. A former trial lawyer and business executive, Ehrlich is a 2000 graduate of Harvard University's Golf Course Design and Development Program and a four-handicap player. She will focus on ensuring that Western Golf's courses maximize their potential in driving revenues and hitting financial targets. Also, Bridget Berry has been hired as marketing coordinator, and will assist in advertising, Web site launches and marketing.



Wendy Ehrlich

VIRGINIA COURSES CHANGE OWNERSHIP

VIRGINIA BEACH, Va. — Hampton Roads Golf Clubs LLC has acquired two courses from National Golf Operating Properties for a combined \$6.75 million. One is Honey Bee Golf Club, in Virginia Beach, an 18-hole daily-fee layout established in 1989. The other is Chesapeake Golf Club, in Chesapeake, Va., also 18 holes and open since 1989. Both courses are daily-fee facilities. The properties changed hands in June, with the transaction handled by real estate broker Douglas Henkel.

KEMPERSPORTS ADDS TWO CLUBS

NORTHBROOK, Ill. — The Kansas City Parks and Recreation Department has signed a contract with KemperSports Management to operate Hodge Park Golf Course and to open the new Shoal Creek Golf Course. The two layouts are adjacent to each other and make up two of the five city golf courses. KemperSports has operated Falcon Ridge Golf Course in Lenexa, Kan., since 1997 and Independence Golf Course since 1998. Architect Steve Wollford took 180 acres of land and sculpted 18 holes over rolling terrain and through heavily wooded areas to construct Shoal Creek, the city's newest golf course. Duane Sander is the superintendent.

High Sierras: Intrawest Golf lands Coyote Moon contract

By JAY FINEGAN

TRUCKEE, Calif. — Intrawest Golf has been selected to manage the popular daily-fee Coyote Moon Golf Club here in Truckee, near Lake Tahoe in the High Sierras.

The par-72 course plays to 7,100 yards at an elevation of 6,300 feet. The layout, designed by former PGA Tour pro Brad Bell and his partner Chris Steel, rolls through 250 acres of secluded piney forests and sweeps over valleys, ravines and lakes.

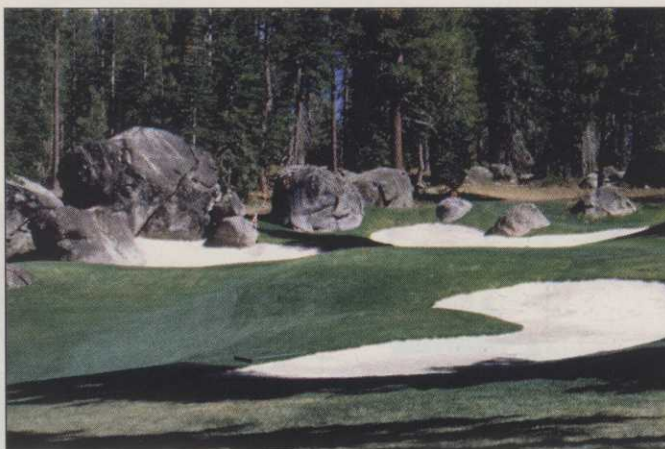
The 18-hole track is rare in California, as it is a stand-alone project, built strictly for golf, not to sell building lots. Not a single house disrupts the natural environment.

Coyote Moon, which opened last year, is ranked as one of the top five new courses in California by *California Golf Guide*, and Intrawest hopes to make the facility even better.

Golfers are teased to play shots into greens protected by huge rock outcroppings, hit to pins 80 feet below over creeks, and nail drives over tantalizingly long lakes. Throughout the course,

the challenge of shaping shots to negotiate nature's purest challenges adds to the enjoyment of playing on a unique piece of property.

"The club has a strong fan base, and is widely recognized among players as one of the top new facilities in the area," said Jeff Stipee, senior vice president of



A view of the 12th hole at Coyote Moon

Intrawest Golf. "Our game plan is to integrate the things the club already does well with the practices and procedures that have earned Intrawest golf courses around the country sterling reputations for exceptional conditioning and guest service."

Intrawest Golf, headquartered in Scottsdale, Ariz., is a division of Intrawest Corp., a Vancouver-based firm that also operates premier ski resorts.

Empire Golf unveiling two new layouts this fall, including first in Florida

ROYAL PALM BEACH, Fla. — Empire Golf will add two more courses to its growing portfolio of high-end, daily-fee clubs with the fall openings of Branton Woods Golf Club in Dutchess County, N.Y., and The Links at Madison Green, here in Royal Palm Beach.

Branton Woods, north of New York City in the Hudson Valley region, promises to be as challenging a layout as any course, public or private, in the tri-state area. Designed by Eric Bergstol, president and

founder of Empire Golf, the course cruises through woods and fields, with mountain views on many holes.

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Number four at The Links at Madison Green, a par-3 hole playing from 219 yards down to 118 yards

Oki's Hawks Prairie adds two courses

By JAY FINEGAN

BELLEVUE, Wash. — Hawks Prairie LLC has purchased two daily-fee layouts at Meridian Campus in Lacey, near the Washington state capital of Olympia. Meriwood Golf Course and Vicwood Golf Links bring to six the number of courses owned by Oki Developments, based here in Bellevue.

Hawks Prairie is a division of Oki Developments, a diversified company whose



The Vicwood Course offers scenic vistas of Puget Sound and Mount Rainier. The 6,882-yard track was designed by Peter L.H. Thompson.

Errant golf shots 'natural as rainfall,' court rules

By JOE DEVANNEY

SPRINGFIELD, Ill. — In an unusual decision handed down recently, the Illinois Supreme Court formally declared it common knowledge that "golfers do not always hit their balls straight." Crooked or wild shots, the court said, are "as natural as gravity or ordinary rainfall."

And with that, the case was closed, but not before imparting some useful advice for course developers trying to forge neighborly relations with nearby homeowners.

The ruling involved a lawsuit originally filed by plaintiffs Larry and Choh-Ying Geddes, of Kane County. They believed that Mill Creek Country Club, adjacent to their property, committed intentional trespass and nuisance against them. The club was allegedly culpable because errant golf balls were continuously hit onto their land from the fifth hole.

Before reaching the state Supreme Court, the Geddes had asked the trial court, and then an appellate court, for compensatory and punitive damages from Mill Creek, a daily-fee facility in Geneva, Ill., managed by American Golf. They also had sought to enjoin the club "from causing and allowing the continual trespass of golf balls to occur."

LOCATION, LOCATION, LOCATION

The facts of the case date back to 1986, when the Geddes purchased 16.5 acres of land. At the same time, a golf club, which would eventually become Mill Creek, was being contemplated as part of a planned development in the adjacent area.

The plaintiffs, who used their property both as a residence and as a nursery/agricultural business, eventually signed a 1996 agreement with the developers. It provided for an eight-foot-high chain link fence with two 14-foot entrance gates along the common border of the properties.

One provision of the agreement stated that "the fence and gates will be installed when the golf course fairway that borders the Geddes' western property line is constructed." Other references to a "golf course" were scattered throughout the document.

2,128 LOST BALLS

The plaintiffs later argued, however, that the agreement never mentioned golf balls. They had always insisted, they said,

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investments include a professional soccer team, a restaurant and real estate holdings. Scott Oki is the group's chairman. Terms of the acquisition were not disclosed.

Developed by Vicwood Meridian Partnership, the two courses are part of a 1,153-acre master-planned community. When completed, the project will include several residential neighborhoods, two parks, schools and a business center.

VIEWS OF MOUNT RAINIER

The Meriwood course, designed by Bill

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III. court case

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that there be no impact upon them from the development.

Mill Creek opened in 1996, and the fifth hole quickly began to create a problem. Specifically, golf balls from it began to land on the Geddes property. According to them, 2,128 balls were discovered on their land during the 1997 and 1998 seasons.

Larry Geddes even claimed that one of the balls hit his tractor while he was mowing. A few other balls were alleged to have strayed as far as 300 feet from the boundary line. Both plaintiffs stated that they feared for the safety of themselves and their "pick your own" customers.

COURT ANALYZES DESIGN

The court, through Justice Charles E. Freeman, spent considerable time analyzing the de-

sign of the fifth hole.

Freeman noted, for example, that the fifth fairway is 300 feet wide and separated from the Geddes property by a strip of rough 25 feet wide. Both the fence and tall trees also surround the property. These elements, the court wrote, all conform to accepted design standards.

Freeman further observed that most golfers will slice, rather than hook, their errant shots.

This means, given the layout, that the Geddes land had more exposure to risk.

The court even studied the prevailing winds at the fifth hole, which generally move from west to east, and concluded that these could also contribute to balls sailing over to the Geddes property.

IGNORANCE OF GOLF NO EXCUSE

In the end, however, the plaintiffs received a "thumbs down" from the court. Much of the le-

gal argument centered on the complex law of estoppel. In essence, estoppel means that a person cannot induce someone to do something and later attack the other person for doing it.

Mill Creek argued estoppel by claiming that the plaintiffs had encouraged it to design the fifth hole in the manner in which it did. Justice Freeman agreed, finding that the plaintiffs had not objected to the plans at county planning committee meetings.

Nor was the justice swayed by the Geddes' argument that they knew nothing about golf. After making his observations about errant golf shots being "as natural as gravity or ordinary rainfall," Freeman said, "We repeat: it is a matter of common knowledge that golfers do not always hit their shots straight....Even assuming that plaintiffs did not know of this fact of life, they reasonably should have."

VAGARIES OF GOLF SHOTS

Michael T. Reagan, of Ottawa, Ill., an attorney representing Mill Creek, believes that the significance of the case lies in two areas.

"The court's opinion demonstrates the importance of careful negotiations with adjoining landowners in the development phase," he said. "Those agreements will be given real meaning. In addition, the judicial recognition of the vagaries of golf balls will be incorporated into the outcome of many aspects of litigation concerning golf balls."

Larry and Choh-Ying Geddes thus saw their action dismissed. In their initial dealings with the developers, they had created a legal sand trap from which there was no escape.

Joseph J. Devanney practices law in Philadelphia.

Medical readiness

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and coordination with the incoming EMS unit.

- Staff training should include CPR, AED and first aid. Mock drills and exercises need to be conducted to reveal deficiencies and to build confidence and good communication.

- And finally, you need a solid quality-improvement process, which reviews medical incidents and provides feedback.

Your members and guests need a competent and effective safety plan in place, prepared to manage any medical emergency that may arise. They will soon expect it. ■

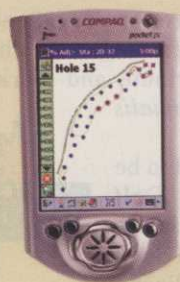
Patrick Roselli is president of GolfSafe Inc., of Manchester, Mass., which specializes in medical response planning for golf courses.



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