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STABILITY!



# GOLFMOBILE

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## Parking Lot Improvement

(Continued from page 62)

tended by implication to include matters not clearly expressed in the agreement. Applying the rules heretofore stated to the facts in the instant case, we conclude that the improvement of the parking lot does not constitute a 'business trade' within the restrictive covenant."

The judgment of the lower court in favor of the plaintiff homeowner and against the defendant golf club was reversed with instructions to dissolve the injunction that forbade the leveling and blacktopping of the planned parking area. The decision was close with five justices constituting the majority, while four concurred in a dissenting opinion. (Burton v. Douglas County, 399 P. 2d 68.)

### Summary Judgment Sought for Negligent Operation of Golf Car

A summary judgment (asked for to ascertain if there is an issue for trial) has been sought in Miami Federal court by an out-of-state golfer against a Largo, Fla. resident, charged with negligent operation of a golf car at a Florida hotel course. The plaintiff is also asking damages in excess of \$10,000 from the defendant in a second amended complaint filed along with the motion for summary judgment. The hotel was also named as co-defendant on motions from the plaintiff and the defendant, who was the operator of the car.

The out-of-state golfer was pinned against the wall of a course shelter by an electric car operated by the Largo, Fla. resident. The latter said the accident was unavoidable because the car's brakes failed as he was driving in a rainstorm. The motion for summary judgment on the issue of liability claims that the Largo golfer, the defendant, should have carried his clubs to the shelter rather than attempted to operate the car during a storm.

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**Don't Forget the Big Date!**  
**May 31 — National Golf Day**

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