

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2007

WILLIAM ABBOTT AND BERNICE ABBOTT,

Appellant,

v.

Case No. 5D06-1818

FORWARD DESIGN & DEVELOPMENT, INC.,

Appellee.

_____ /

Opinion filed April 13, 2007

Appeal from the Circuit Court
for Brevard County,
T. Mitchell Barlow, Judge.

Adam K. McGinnis, of Adam K. McGinnis,
P.L., Orlando, for Appellant.

Richard E. Stadler, of Stadler & Harris,
P.A., Titusville, for Appellee.

PER CURIAM.

The test to be utilized with respect to restraints on alienation is the test of reasonableness. Iglehart v. Phillips, 383 So. 2d 610, 614 (Fla. 1980). The validity or invalidity of a restraint depends on its long-term effect on the improvement and marketability of the property. Id. Here, the contract was not an unreasonable restraint on the alienation of the property since it did not have a long-term effect on the improvement and marketability of the property.

AFFIRMED.

GRIFFIN, ORFINGER and LAWSON, JJ., concur.