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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

COURT OF APPEAL - SECOND DIST.

DIVISION TWO

FILED

FEB 27 2018

CITIZENS FOR ENFORCEMENT
OF PARKLAND COVENANTS et al.,

Plaintiffs and Appellants,

v.

CITY OF PALOS VERDES ESTATES
et al.,

Defendants and Appellants.

B267816
(c/w B270442)

(Los Angeles County
Super. Ct. No. BS142768)

**ORDER MODIFYING
OPINION AND DENYING
PETITIONS FOR REHEARING**

[NO CHANGE IN JUDGMENT]

JOSEPH A. LANE Clerk

Deputy Clerk

THE COURT:*

It is ordered that the opinion filed herein on January 30, 2018, be modified as follows:

*ASHMANN-GERST, Acting P. J., CHAVEZ, J., GOODMAN, J. †

† Retired Judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

On page 15, first full paragraph, Section F, third line down, after the sentence "We disagree." add as footnote 6 the following footnote:

⁶The Association argues that it had the right to transfer the parkland to the Lugliani because this original declaration was never properly amended. But, the Chairman of the Association's board expressly consented to the terms of the 1940 deed. By expressly agreeing to those terms, the Association cannot now argue that Bank of America had no power to include them.

There is no change in the judgment.

The petitions for rehearing filed by defendants and appellants Palos Verdes Home Association, Robert Lugliani, Dolores A. Lugliani, Thomas J. Lieb, and the Via Panorama Trust are denied.

Ashmun - Sect Chang