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**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

*[Signature]* MAR 30 2017  
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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE – PALM SPRINGS DISTRICT**

IN RE:  
  
ORCHARD ESTATE HOMES, INC., a  
California nonprofit mutual benefit  
corporation,  
  
Petitioner.

CASE NO. PSC1700644  
  
**FINAL ORDER AND JUDGMENT  
GRANTING PETITION TO REDUCE THE  
REQUIRED VOTING PERCENTAGE TO  
AMEND THE CC&RS**  
  
[CIVIL CODE § 4275]  
  
Date: March 21, 2017  
Time: 8:30 a.m.  
Dept.: PS2  
Judge: Hon. David M. Chapman

The petition of ORCHARD ESTATE HOMES, INC. (“the Association” or “Petitioner”) to reduce the required voting percentage to amend the Declaration of Covenants, Conditions and Restrictions came on regularly for hearing on March 21, 2017. Timothy P. Flanagan, Esq. appeared on behalf of Petitioner. Daniel M. Parlow, Esq. appeared on behalf of the objectors. The Court heard and considered the oral and documentary evidence presented by the Petitioner in support of the petition. An opposition to the Petition was filed on behalf of the objectors.

**THE COURT NOW FINDS:**

1. The Petitioner has given the required notice.
2. Balloting on the proposed amendment to the Declaration of Covenants, Conditions and Restrictions for the Association (“CC&Rs”) was conducted in accordance with all the applicable provisions of the governing documents of the common interest development.
3. The Association made a reasonably diligent effort to permit all eligible members

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of the Association to vote on the proposed amendment to the CC&Rs.

4. Owners of the common interest development having more than 50% of the votes in the Association under the single voting structure voted in favor of the proposed amendment to the CC&Rs.

5. The proposed amendment to the CC&Rs is reasonable.

6. Granting the petition is not improper for any of the reasons stated in Civil Code section 4275(e).

**IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:**

1. For the exclusive purpose of approving the amendment to the CC&Rs, the voting requirements in Article XV, Section 15.02 of the CC&Rs have been reduced, consistent with Civil Code section 4275. The amendment of the CC&Rs is decreed and ordered adopted and approved by Petitioner's members because of the number of affirmative votes actually received. Thus, the amendment to the CC&Rs is adopted and is confirmed as validly approved.

**IT IS SO ORDERED.**

DATED: 3-27-17

  
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JUDGE OF THE SUPERIOR COURT