



## Citizens for Enforcement of Parkland Covenants

[www.pveopenspace.com](http://www.pveopenspace.com)

916 Via Panorama  
Palos Verdes Estates, California 90274

***For Immediate Release -- June 24, 2013***

Citizens for Enforcement of Parkland Covenants (CEPC) is a group of concerned residents of Palos Verdes Estates and around the peninsula that has come together to advocate reversal of the sale of open space parkland at 900 Via Panorama by the Palos Verdes Homes Association (PVHA) to a private owner, Robert and Delores Lugliani. CEPC is opposed to this real estate transaction [completed in 2012 as part of a broader Memorandum of Understanding (MOU)], which was unanimously approved in 2012 by the boards of the PVHA, the City of Palos Verdes Estates (PVE) and the Palos Verdes Unified School District (PVUSD). Having carefully reviewed all the deed restrictions and covenants pertaining to this property, **CEPC has concluded that the transaction was and is illegal, and that the Covenants (PVE Protective Restrictions) established in 1923 and onward require the transaction be reversed. Unsuccessful in convincing PVHA and PVE to act legally and responsibly, CEPC has filed a petition for writ of mandate and complaint for injunctive relief in Los Angeles Superior Court to have the transaction reversed.**

Between February and early March 2013, 100 concerned residents of Palos Verdes submitted letters to the PVE City Planning Commission and City Council opposing this transaction and the subsequent attempt by the Luglianis to have the property re-zoned from "OS-Open Space" to "R1-Single Family Residential" in order to build improvements (such as a sport field, gazebo, barbeque, walls, etc.) on the property which has been public open space parkland since the founding of PVE in 1923; there was only one letter from a resident in support of the rezoning. *"70% of those letters of opposition were from residents **outside the immediate neighborhood**, indicating that the concern is much broader than typical issues concerning neighborhood views,"* said John Harbison of CEPC. *"The sale of parkland without citizen approval is illegal and establishes a dangerous precedent that should not be allowed to happen."*

Harbison went on to say, *"PVE's Founders exhibited great foresight in creating our very special community. Their careful diligence in crafting the meticulously explicit PVE Protective Provisions that could not be changed by successive governments without a vote of the people is much like our nation's founding fathers hard-wiring certain rights and privileges into the U.S. Constitution that cannot be changed by Congress or the President. PVE City Council and the PVHA acted outside their purview by advocating and approving this transaction."*

CEPC does not seek to alter any other aspects of the 2012 MOU since the MOU includes other provisions with important benefits to our community. However, the language in PVE's Protective Provisions is very explicit. For example, the original Grant deed specifies that the property is *"to be used and administered forever for park and/or recreation purposes, for the benefit of the"* residents of PVE. Further, the document specifies that *"no buildings, structures or concessions shall be erected, maintained or permitted*

*upon said reality.” Finally, it says that “no part of said realty shall be sold or conveyed by Palos Verdes Homes Association.”*

*“It’s quite simple,” said Harbison. “Selling the parkland violated the legal covenants and needs to be reversed.”*

All pertinent documents as well as photos of the property are posted to CEPC’s website at [www.pveopenspace.com](http://www.pveopenspace.com). If you would like sign the petition and/or to make a contribution to CEPC for our legal fund to enforce parkland covenants, please go to [http://www.pveopenspace.com/How\\_You\\_Can\\_Help.html](http://www.pveopenspace.com/How_You_Can_Help.html)

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