

Filed 9/30/02

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

GARY M. SEVERNS,

Plaintiff and Respondent,

v.

UNION PACIFIC RAILROAD
COMPANY,

Defendant and Appellant.

B150284

(Super. Ct. No. BC218572)

**ORDER MODIFYING OPINION
AND DENYING REHEARING**

THE COURT:*

Respondent's petition for rehearing filed on September 20, 2002, and the document entitled "Joint Stipulation of the Parties for Modification of Opinion" filed on September 27, 2002, have been read and considered.

The opinion is modified as follows.

The sentence which reads, "The judgment is reversed" on page 25 of the slip opinion under the heading "Disposition" is deleted. The following sentence is inserted in its place: The judgment is reversed to the extent it quieted title on behalf of respondent Gary M. Severns in the Railroad Right of Way.

This modification constitutes a change in the judgment.

The petition for rehearing is denied as moot.

*VOGEL (C.S.), P.J.

EPSTEIN, J.

CURRY, J.