

Decision No. 16434.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )

EAST BAY WATER COMPANY, )

a corporation, for an order authoriz- )

ing sale of real property. )

Application No. 12617.

ORIGINAL

BY THE COMMISSION:

O R D E R

In this proceeding East Bay Water Company, a corporation, asks authority to grant to the Pacific Gas and Electric Company, a corporation, a right of way and easement over and across certain of its lands lying in the "Rancho El Sobrante" in Contra Costa County, for the purpose of erecting thereon a single pole line for the transmission of electric energy, being a strip of land of uniform width of fifteen (15) feet and approximately 9223 feet in length, which is more particularly described in the application herein.

Furthermore, East Bay Water Company asks authority to sell to the Pacific Gas and Electric Company a certain parcel of land containing nine tenths (0.9) acres located and situated in Contra Costa County and more particularly described as follows:

Beginning at a point in the Northwesterly boundary line of Specific Tract "F", of "Rancho El Sobrante", as delineated and so designated upon the map of the Rancho El Sobrante, accompanying and forming a part of the Final Report

of the Referees in the Partition of said Rancho, a certified copy of which said map was filed in the office of the County Recorder of said County of Contra Costa on the 14th day of March, 1910, from which a granite post and stake marked "3" on the Easterly bank of San Pablo Creek, as described in that certain Final Decree recorded in Book 156 of Deeds, at page 51, Records of said Contra Costa County (said granite post bears North  $45\frac{1}{2}^{\circ}$  East, 1.71 chains from the most Northerly corner of said Specific Tract "F"), bears North  $66^{\circ} 30'$  East, 697.7 feet distant, and running thence South  $60^{\circ} 00'$  East, 102.2 feet; thence curving to the right, 62.2 feet along a curve with a radius of 115.0 feet; thence South  $29^{\circ} 00'$  East, 17.4 feet; thence South  $70^{\circ} 51\frac{1}{2}'$  West, 295.8 feet; thence North  $19^{\circ} 08\frac{1}{2}'$  West, 150.0 feet to a point in the said Northwesterly boundary line of Specific Tract "F"; thence along said last mentioned boundary line North  $70^{\circ} 51\frac{1}{2}'$  East, 199.7 feet, more or less, to the point of beginning.

East Bay Water Company has informed the Commission that the consideration to be paid for the real property described above is \$1,020 and the consideration for the right of way and easement as set out in the application herein is \$2,200.

The Commission having investigated this matter and being of the opinion that the transfer of the properties as requested herein will not interfere with or be detrimental to East Bay Water Company in the performance of its duties and obligations as a public utility, and it appearing that this is a matter in which a public hearing is not necessary and that the application should be granted,

IT IS HEREBY ORDERED that East Bay Water Company, a corporation, be and the same is hereby authorized to grant, sell and convey unto the Pacific Gas and Electric Company that certain parcel of land and the particular rights of way and easements which are more particularly described in the application herein, upon the following conditions:

1. That all rights and privileges, if any, now owned or controlled by East Bay Water Company and reasonably necessary in any manner to the continued operation of its water system in relation to the property, property rights or interests herein authorized to be transferred, shall be reserved to said East Bay Water Company in the instruments of conveyance.

2. The authority herein granted shall apply only to such transfer as shall have been completed on or before June 30th, 1926, and certified copies of the instruments of conveyance shall be filed with this Commission by said East Bay Water Company within thirty (30) days from the dates upon which they are executed.
3. The consideration given for the sale and transfer of this property shall not be urged before this Commission or any other public body as a finding of value for rate fixing or for any purpose other than the transfer herein authorized.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 9th day of April, 1926.

H. H. Burdick  
Al Seaman  
Ernest J. Scott

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Commissioners.