

Decision No. 17532

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the Matter of the Application of)  
PORT COSTA WATER COMPANY, )  
a corporation, for authority to )  
sell real property. )

Application No. 13207.

Chickering and Gregory, for applicant.

BY THE COMMISSION:

ORDER

Port Costa Water Company has applied to the Commission for permission to sell approximately 6.336 acres of land for the sum of \$5,250. to the East Bay Municipal Utility District. The land is situated in Contra Costa County and is to be sold pursuant to the terms and conditions of the agreements marked Exhibit "B" and filed in this proceeding to which agreements reference is hereby made for the terms and conditions under which the properties are to be transferred. Exhibit "A" attached hereto contains a detailed description of the properties. It is of record that East Bay Municipal Utility District desires and requires the properties for the purpose of constructing and installing thereon an aqueduct for the conveyance of water to the City of Oakland. The Port Costa Water Company, among other things, reserves to itself the right to pump, take and withdraw underground waters

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from the lands which it asks permission to sell and to sell and dispose of such waters as a public utility or otherwise. It, however, does not have the right to place any wells or pumps upon the land.

The Commission has considered the request of applicant and is of the opinion that this is a matter in which a public hearing is not necessary and that this application should be granted, therefore,

IT IS HEREBY ORDERED that Port Costa Water Company be, and it is hereby, authorized to sell to the East Bay Municipal Utility District the properties described in Exhibit "A" attached hereto, said sale to be made subject to the terms and conditions set forth in Exhibit "B" filed in this proceeding.

DATED at San Francisco, California, this 26<sup>th</sup> day of October, 1926.

H. R. D. [Signature]  
C. [Signature]  
[Signature]  
[Signature]

Commissioners.

"EXHIBIT A"

Parcel No. 1

All that certain piece or parcel of land situated in the County of Contra Costa, State of California, and more particularly bounded and described as follows, to-wit:

"A strip of land 100.00 feet in width, being 50.00 feet on each side of the center line, said center line being described as follows: BEGINNING at a point on the center line of Bates Ave., as shown on Map entitled "MAP OF THE GOVERNMENT OR GWIN RANCH", recorded November 8, 1884, in Book "D", page 87, in the office of the County Recorder, Contra Costa County, California; which point bears S. 79° 37' W. 3080.95 feet from the intersection of the center line of the said Bates Avenue with the easterly boundary line, produced, of Lot 15, of the said Government Ranch; and running thence N. 09° 38' E. 2417.3 feet to the center line of Torrey Avenue as shown on the said map, and containing an area of 5.549 acres, and being a portion of the tract of land conveyed to Port Costa Water Co., a corporation, by deed dated October 15, 1924, and recorded October 20, 1924, in Vol. 476 of Deeds, page 336, in the office of the County Recorder, Contra Costa County, California."

Parcel No. 2

All that certain piece or parcel of land situated in the County of Contra Costa, State of California, and more particularly bounded and described as follows, to-wit:

"BEGINNING at a point on the westerly boundary line of the Southern Pacific Railroad right of way where the boundary line between the land of Genezio and John Bisso and the land of the Port Costa Water Co. intersects the same, and running thence along the boundary line between the lands of said Genezio and John Bisso and the said Port Costa Water Co., N. 77° 06' W. 188.58 feet; thence leaving said boundary line, N. 09° 38' E. 314.68 feet to a point on the said westerly boundary line of the Southern Pacific Railroad Co. Right of Way; thence along said westerly boundary line a distance of 250.8 feet; thence by a curve to the right of 768.64 foot radius, a distance of 127.9 feet, to the point of beginning, and containing an area of 0.787 acre, being a portion of the tract of land conveyed to Port Costa Water Co. by deed dated July 26, 1918, and recorded November 15, 1919 in Vol. 351 of Deeds, page 155, Records of Contra Costa County, California."

For exceptions and reservations, see Exhibit "B",

Application No. 13207.