

Decision No. 18196

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
UNION OIL COMPANY OF CALIFORNIA, a
corporation, for approval of a wharf
franchise.

ORIGINAL

Application No. 13538.

BY THE COMMISSION:

ORDER

Union Oil Company of California, a corporation, having, on the 7th day of February, 1927, been granted by the Board of Supervisors of the County of Contra Costa, State of California, for a term of twenty years, the right, privilege and franchise to maintain, operate, repair, renew, remove and take tolls for a wharf or pier on certain lands bordering on a navigable strait or inlet of the sea, situate in said County in Supervisorial District Number Four thereof, said lands being more particularly described as contained and within the following boundaries, to-wit:

Beginning at a point on the line of ordinary high water mark on the Southerly bank of New York Slough, distant 72 feet Easterly from and measured at right angles to the Northwesterly boundary of that certain parcel of land conveyed to Union Oil Company of California by deed from Edward B. Noble and Helen Gentry Noble, husband and wife, dated July 28, 1919, recorded July 30, 1919 in Vol. 343, page 308 of Deeds, Records of said Contra Costa County; thence North-easterly parallel to the Northeasterly prolongation of said Northwesterly boundary of said parcel of land a distance of 150 feet to a point on the Easterly prolongation of the United States Pierhead line, as shown on the United States Engineer's plan of harbor lines in New York Slough, in File 4, Division 4, Sheet 4; thence Southeasterly at right angles to said last mentioned course, a distance of 35 feet; thence Southwesterly at right angles

to the last mentioned course, a distance of 50 feet; thence Northwesterly at right angles to the last mentioned course, a distance of 23 feet; thence Southwesterly at right angles to the last mentioned course and along a line parallel to the aforesaid Northeasterly prolongation of the Northwesterly boundary of said parcel of land conveyed by Edward B. Noble and Helen Gentry Noble, a distance of 100 feet, more or less, to the line of ordinary high water mark; thence Northwesterly along said line of ordinary high water mark to the point of beginning.

Applicant, Union Oil Company of California, a corporation, having applied to the Railroad Commission for approval of said right, privilege and franchise and having submitted to the Railroad Commission copies of the articles of incorporation of the Union Oil Company of California and a copy of the ordinance of the Board of Supervisors of the County of Contra Costa, State of California, granting said right, privilege and franchise and a stipulation declaring that neither the Union Oil Company of California, a corporation, nor its successors, trustees or assigns, will ever claim before the Railroad Commission, or any court or other public body, any value for said wharf franchise in excess of the amount actually paid for the granting thereof, and that the said amount is in the sum of \$162.50, comprising the sum of \$100.00 paid in cash to said County of Contra Costa, and the sum of \$62.50 paid for costs of advertising in connection therewith, all being included in the bid of the grantee of said franchise, which bid was duly accepted by the Board of Supervisors; and

The Railroad Commission being of the opinion that this is not a case in which a public hearing is necessary and that this application should be granted:

NOW, THEREFORE, IT IS HEREBY ORDERED that the Railroad Commission of the State of California hereby approves the right, privilege and franchise described in the application herein; and

IT IS HEREBY FURTHER ORDERED that the Railroad Commission of the State of California hereby declares that the stipulation filed herein, to the effect that neither the applicant nor its successors, trustees or assigns, will ever claim before the Railroad Commission of the State of California, or any court or other public body, any value for the said wharf franchise in excess of the amount actually paid for the grant thereof, is satisfactory both as to form and contents.

Dated at San Francisco, California, this 7th day of April, 1927.

Edward J. ...

C. L. ...

John D. ...

Commissioners.