

ORIGINALDecision No. 19460

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 Authorizing Sale of
 Real Property.

Application No. 14401.

BY THE COMMISSION:

ORDER

In this application, East Bay Water Company, a corporation, asks the Commission for authority to sell to the City of Oakland a right of way for street and road purposes over its non-operative lands. This right of way is situated partly in the County of Contra Costa and partly in the City of Oakland, County of Alameda, and is described in Exhibit "A" attached to the application. As a consideration therefor the City of Oakland will abandon to said company an easement now owned by it for streets and roads over and across these lands, said right of way being described in Exhibit "B" attached to the application. The change in the right of way has been brought about by reason of a relocation of a portion of the proposed road in order to obtain a better alignment and grade.

It appears that this is not a matter in which a public hearing is necessary and that the application should be granted; now, therefore,

IT IS HEREBY ORDERED that East Bay Water Company, a corporation, be and it is hereby authorized to convey to the City of Oakland a right of way for street and road purposes, as more particularly described in Exhibit "A" attached to the application herein, which is hereby referred to and made a part of this Order, subject to the following conditions:

1. The authority herein granted shall apply only to such transfer as shall have been made on or before June 30, 1928.
2. A certified copy of the final instrument of conveyance shall be filed with this Commission by the East Bay Water Company within thirty (30) days from the date on which it is executed.
3. The consideration given for the 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 upon the date hereof.

Dated at San Francisco, California, this 10th day of March, 1928.

C. S. ...

David ...

M. J. ...

 Commissioners.