

ORIGINAL

Decision No. 20553

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. 15221.

BY THE COMMISSION:

ORDER

East Bay Water Company, a corporation, having made application to the Railroad Commission for permission to sell the properties described in this order and it appearing that said properties are a part of the properties which the Commission, by Decision No. 20503 dated November 19, 1928, authorized the company to sell to the East Bay Municipal Utility District and said district having advised the Commission that it has no objection to the sale of the properties described herein, and the Commission being of the opinion that this is not a matter in which a public hearing is necessary and that this application should be granted, therefore

IT IS HEREBY ORDERED that East Bay Water Company, a corporation, be and it is hereby authorized to sell the following described real properties:

1.

All that certain real property situate, lying and being in the County of Alameda, State of California, and described as follows, to-wit:-

Lots "F" and "G", as said lots are delineated and designated upon that certain map entitled, "Map of the Vegetable Lands belonging to the Estate of William Roberts, a bankrupt, Frank A. Leach, Trustee, Eden Township, Alameda Co., Cal.," and filed in the office of the County Recorder of said Alameda County on the ninth day of October, A. D. 1906.

CONTAINING Eleven and 83/100 (11.83) acres, more or less.

SUBJECT to all of the reservations expressed in that certain deed dated May 28th, 1910, and recorded June 13, 1910, in Volume 1760 of Deeds, at page 180, Alameda County Records.

11.

192. All that certain real property situate, lying and being in the Township of Eden, County of Alameda, State of California, and described as follows, to-wit:-

1st: State Tide Land Survey No. Ninety-one (91) in fractional South half of Section Fourteen (14), Township Three (3) South, Range Three (3) West, Mt. Diablo Base and Meridian.

CONTAINING 58.25 acres of land.

2nd: Surveys Nos. Three hundred twenty-one (321) and Three hundred twenty-two (322) Swamp and Overflow Lands in Sections Thirteen (13) and Fourteen (14), being part of the Southwest quarter of the Southwest quarter of Section Thirteen (13) and part of Section Fourteen (14) in Township Three (3) South, Range Three (3) West, Mt. Diablo Base and Meridian, Survey No. Three hundred twenty-one (321) containing One hundred thirty-two (132) acres and Survey No. Three hundred twenty-two (322) containing Sixteen and 21/100 (16.21) acres of land.

3rd: State Tide Land Survey No. One hundred four (104) in fractional North half of the Southwest quarter of Section Fourteen (14) in Township Three (3) South, Range Three (3) West, Mt. Diablo Base and Meridian.

CONTAINING Fifty (50) acres of land.

The three parcels above described, together containing 256.46 acres, more or less.

TOGETHER with and including the right of way over Survey

No. 120 from Survey 321 to the Hayward Road, granted to San Francisco Union Salt Company by W. Whitney on April 1, 1908, and recorded in Liber 1521 of Deeds, page 11, on September 11, 1908, in the office of the County Recorder of said County of Alameda.

4th: BEGINNING at the Northwestern corner of Swamp and Overflowed Land Survey No. 214 in Alameda County, California, the same being the Northwestern corner of that certain 35.54 acre tract described in deed from Cecilia Madsen, executrix of the last Will and Testament of Christian Madsen, deceased, to California Salt Company, a corporation, by deed dated May 17, 1918, and recorded in Liber 2681 of Deeds, page 17, Alameda County Records: running thence along the northern boundary line of said Survey No. 214 and said 35.54 acre tract East, 27.89 chains to its intersection with the Western boundary line of the Rancho San Lorenzo (Soto); thence along said rancho boundary line South  $44^{\circ} 51'$  East, 2.82 chains to the most Northern corner of Swamp and Overflow Land Survey No. 322 in said Alameda County; thence along the line dividing aforesaid Survey 214 and said Survey No. 322 South 7.82 chains; thence West 28.23 chains to a point on the Western boundary line of the aforesaid Survey No. 214; and thence along the last said line North  $9^{\circ} 30'$  West, 9.95 chains to the point of beginning.

CONTAINING 28.31 acres.

BEING a portion of said Swamp and Overflowed Land Survey No. 214 and also a portion of the aforesaid 35.54 acre tract.

SAVING AND EXCEPTING, however, from the parcel of land first hereinabove described the portion thereof described as follows, to-wit:

COMMENCING at the Southwestern corner of Swamp and Overflowed Land Survey No. 214, in Alameda County, California, the same being the Southeastern corner of Tide Land Survey No. 91 in said Alameda County; and running thence along the Southern boundary line of said Survey No. 91 West 13.48 chains to the Southwestern corner thereof; thence along the Western boundary line of said Survey No. 91 North  $24^{\circ} 40'$  West 11.20 chains; thence East 16.45 chains to a point on line dividing said Tide Land Survey No. 91 and said Swamp and Overflowed Land Survey No. 214; and thence along said dividing line South  $9^{\circ} 30'$  east 10.32 chains and to the point of commencement.

CONTAINING 15.23 acres and being a portion of Tide Land Survey No. 91, Alameda County, California.

ALSO, SAVING AND EXCEPTING from the parcel of land secondly hereinabove described the portion thereof described as follows, to-wit:

COMMENCING at the Southwest corner of Swamp and Overflowed Land Survey No. 322 in Alameda County, California, the same being the common corner to Sections 13, 14, 23 and 24 in Township 3 South, Range 3 West, Mt. Diablo Base and

Meridian; and running thence along the Western boundary line of the said Survey No. 322 North 10.18 chains; thence East 7.78 chains to a point on the Western boundary line of the Rancho San Lorenzo (Soto); thence along said rancho boundary line South 44° 51' East 14.36 chains to the Southeastern corner of said Survey No. 322; and thence along the Southern boundary line of said Survey No. 322 West 17.91 chains to the point of commencement.

CONTAINING 13.08 acres, and being a portion of the said Swamp and Overflowed Land Survey No. 322.

lll.

All that certain real property situate, lying and being in the City of Oakland, County of Alameda, State of California, and described as follows, to-wit:-

Lot No. 150, as said lot is delineated and so designated on that certain map entitled, "Forestland, Oakland, Alameda County, California", filed December 8, 1924, in Book 4 of Maps, at pages 52 and 53, in the office of the County Recorder of the said County of Alameda,

provided, however, that this authority shall not become effective until a certified copy of the final instruments of conveyance have been filed with this Commission and a supplemental order of approval of such instruments has been issued.

IT IS HEREBY FURTHER ORDERED that the authority granted herein shall be subject to the following term and condition:

- a. The consideration for the transfer of the above property shall not be urged before this Commission or any public body as a finding of value for rate-fixing or for any purpose other than authorized herein.

Dated at San Francisco, California, this 3<sup>rd</sup> day of December, 1928.

Leon White  
W. J. Janney  
Emmery  
John S. Lott  
M. M. M.  
Commissioners.