

20799

Decision No. 20799

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of ANTIOCH WHARF COMPANY, a co-  
partnership, for a renewal of  
Wharf Franchise.

Application No. 15368.

BY THE COMMISSION:

ORDER APPROVING RENEWAL OF WHARF FRANCHISE.

Antioch Wharf Company, a co-partnership, by this applica-  
tion, prays for an order of this Commission approving the action  
of the Board of Trustees of the Town of Antioch, County of Contra  
Costa, granting to said applicant for the term of twenty years  
the renewal of a wharf franchise, together with the privilege of  
collecting tolls for the use thereof, described and set forth in  
the order of said Board of Trustees dated August 13, 1928, which  
order is attached to the above entitled application and marked  
Applicant's Exhibit C.

The allegations of said application show that on August  
13, 1907, the Board of Trustees of the Town of Antioch granted to  
Antioch Wharf Company, a co-partnership, its successors and assigns  
the right to erect, construct and maintain a wharf and to take tolls  
for the use of the same for a term of twenty years on all those cer-  
tain submerged, overflowed and tide lands belonging to the State of  
California and said applicant, bordering on the southern shore of  
the San Joaquin River situate in Township No. 2, Supervisor District

No. 5, in the Town of Antioch, County of Contra Costa, State of California, and within the following boundaries to-wit:

Beginning at a point on the east line of Galloway Street, produced North 68.6 feet north of the intersection of the east line of Galloway Street with the north line of Front Street, all in the Town of Antioch, Contra Costa County, California, thence North 172.4 feet to a point on the front line of the present wharf; thence North 71 degrees 30' West 333.2 feet along the North line of the present wharf to the intersection of the North line of the present wharf with the West line of Main Street produced North, 241.2 feet to the intersection of the west line of Main Street produced north with the north boundary of the Atchison, Topeka & Santa Fe R. R. right of way; thence South 83 degrees 18' East 312.2 feet along the north boundary of the Atchison, Topeka & Santa Fe R. R. right of way to the place of beginning.

It further appears that under the terms of said franchise a wharf was erected and completed on said described lands and has ever since been maintained, used and operated by the Antioch Wharf Company and is now being so used, maintained and operated. It is further averred that the said franchise has expired by limitation of time on and as of the 13th day of August, 1927, and that applicant desires to continue in the use, occupancy and operation of said wharf.

There is annexed to said application a copy of the petition for the renewal of said franchise filed with the said Board of Trustees, together with an affidavit of application of notice of applicant for renewal of the wharf franchise, and also an affidavit of posting notice of said application.

We are of the opinion 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 the order of the Board of Trustees of the Town of Antioch, County of Contra Costa, State of California, granting the renewal of the franchise described and

set forth in said order of said Board of Trustees, dated August 13, 1928, which order is attached to this Application and marked Applicant's Exhibit C, be and the same is hereby approved.

Dated at San Francisco, California, this 18<sup>th</sup> day of February, 1929.

Wm. S. Lott  
Chairman  
Leon Whitely  
Commissioners.