

Decision No. 21754

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SPRING VALLEY WATER COMPANY,)
 a corporation, for an order author-)
 izing it to sell land to Joint Highway) Application No. 16043
 District No. 10 of the State of)
 California for highway purposes.)

McCutchen, Olney, Mannon and Greene, for applicant.

BY THE COMMISSION:

ORIGINAL

OPINION AND ORDER

In the above entitled matter, the Railroad Commission has been asked to make an order authorizing Spring Valley Water Company to sell to Joint Highway District No. 10 of the State of California two strips of land situate in the County of San Mateo.

It appears that applicant owns certain lands in the County of San Mateo adjoining the Junipero Serra Boulevard and that the Joint Highway District No. 10 is desirous of acquiring two certain strips of said lands for the purpose of widening the boulevard. The company has therefore made a proposal in writing, dated September 24, 1929, to sell to the District the two strips of land for the price of \$5,860.00.

The land proposed to be sold is included in applicant's offer of March 3, 1928 to sell certain properties to the City and County of San Francisco. The board of Supervisors of the City and County of San Francisco, by Resolution No. 31473 (new series), has consented to the proposed sale to the Joint Highway District No. 10 on the condition that the price specified in applicant's offer of March 3, 1928 to the City and County of San Francisco be reduced by the amount of the consideration to be received from the Joint

Highway District No. 10. A certified copy of the resolution is filed in this proceeding as Exhibit "B".

Applicant alleges that the proposed sale of land, if consummated, will not impair, injure or affect the water supply of the City and County of San Francisco or of the inhabitants thereof. The Commission has considered applicant's request and is 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 Spring Valley Water Company be, and it hereby is, authorized to sell to Joint Highway District No. 10 of the State of California the lands described in Exhibit "A" attached hereto, such sale to be upon the terms and conditions set forth in this application.

IT IS HEREBY FURTHER ORDERED, That the authority herein granted will become effective upon the date hereof.

DATED at San Francisco, California, this 5th day of November, 1929.

Thomas D. Lott

Chas. Seaver

Edwin Scott

Leon O'Connell

W. J. Carr

Commissioners.

EXHIBIT A.

All that certain parcel of land situate in the County of San Mateo, State of California, being a 20 foot strip and a 10 foot strip of pipe line right of way, and being also a portion of "Parcel No. 57, partly in the City and County of San Francisco and partly in the County of San Mateo, of the Spring Valley Water Company's option to the City of San Francisco (covered by Offer of Sale recorded January 17, 1921, on page 1, in Volume 299 of Official Records, in the office of the Recorder of the City and County of San Francisco), and more particularly described as follows:-

Commencing at a granite monument at the intersection of the easterly line of the Rancho Laguna de la Merced and the southerly line of the City and County of San Francisco, and running thence along said Rancho line south $0^{\circ} 13'$, east 4,366.05 feet to the southerly line of said Rancho; thence along said southerly line north $89^{\circ} 34'$, west 10.0 feet to the north-easterly corner of a tract of 31.40 acres, conveyed by Chas. W. Howard to Spring Valley Water Works by deed dated August 3, 1883, and recorded December 29, 1883, in the office of the County Recorder of San Mateo County in Book 37 of Deeds, at Page 138; thence along the easterly boundary of said tract, south $0^{\circ} 01'$, East 518.72 feet to the southeastern corner thereof; thence along the southerly boundary thereof, north $89^{\circ} 29'$, west 10.0 feet; thence north $0^{\circ} 01'$, west 518.72 feet to the southerly boundary of the Rancho Laguna de la Merced; thence north $0^{\circ} 18'$ west 4,365.88 feet to a point in said County boundary line; thence easterly 20 feet along said County boundary line to the point of commencement.

Being a portion of Rancho Laguna de la Merced and the before mentioned Howard Tract, and containing 2.12 acres, more or less.

All that parcel of land situate in Daly City, County of San Mateo, State of California, being a strip lying westerly of the easterly 125 foot right of way line of the Junipero Serra Boulevard Extension under authority of "Joint Highway District No. 10 of the State of California" (said right of way line being 62.5 feet at right angles easterly from the surveyed center line of said Boulevard); and being also a portion of "Parcel No. 1 in the County of San Mateo" of the Spring Valley Water Company's Option to the City of San Francisco (covered by Offer of Sale recorded January 17, 1921, on Page 1, Volume 299 of Official Records, in the Office of the Recorder of the City and County of San Francisco); said parcel of land being more particularly described as follows:

Commencing at a point in the easterly line of the Rancho Laguna de la Merced, distant thereon 505.92 feet southerly from

a granite monument in the southerly line of the City and County of San Francisco; thence deflecting to the left $2^{\circ} 40' 30''$, and running southeasterly 636.84 feet to the northerly line of Knowles Avenue, Daly City; thence deflecting to the right $93^{\circ} 23'$, running westerly 29.72 feet along said northerly line of Knowles Avenue, to the Rancho line, thence deflecting to the right $89^{\circ} 17' 30''$, and running northerly 635.78 feet along the Rancho line to the point of commencement.

Being a portion of Lots 9 and 10 of the "Ocean View Tract," filed in the office of the Recorder of the County of San Mateo, State of California, on June 19, 1885, in Liber "E" of Maps, at page 54, and also being a portion of "Parcel No. 5" as set forth in the McEnerney Decree quieting title, "Spring Valley Water Company, Plaintiff, vs. All Persons," recorded April 10, 1920, in Volume 293 Deeds, Page 1, Superior Court, San Mateo County, Case No. 3917, and containing 0.22 acres, more or less.