

Decision No. 10982;

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
the NORTE MONETA GARDENS LAND AND)
WATER COMPANY, a corporation, to sell)
the water works distributing system)
and other property owned by it to)
ESTEP AND KOHLER, a partnership.)

Application No. 8137.

I. B. Kornblum, for Applicant.

F. W. Shelley and James Hosick, by F. W. Shelley,
for Estep and Kohler.

BY THE COMMISSION:

O P I N I O N

In this proceeding the North Moneta Gardens Land and Water Company and Estep and Kohler make joint application for authority to transfer the water system serving water to the residents in North Moneta Gardens, a subdivision in Los Angeles County, California, to Estep and Kohler.

A public hearing was held at Los Angeles before Examiner Williams, of which hearing notice was given and all interested parties given an opportunity to appear and be heard.

The testimony shows that the owners of the North Moneta Gardens Land and Water Company are engaged in other business and unable to devote their time to the water utility business. The system has been allowed to deteriorate to such an extent that it will necessitate the expenditure of quite a sum of money to replace it in proper repair.

It is the desire and plan of Estep and Kohler to place the system in good condition and use it in connection with a brick works which will be built on a portion of property to be transferred. Mr. Estep will live at or near the plant and will give it his personal attention.

The property to be transferred consists of three (3) acres of land described as the south three acres of Lot fifteen (15), in Tract No.874, together with the well, pumping equipment and buildings thereon, also the water distributing system throughout the North Moneta Garden Lands Subdivision, as shown on a map filed as an exhibit at the hearing of Application No. 5426. The money consideration connected with this transfer is nominal. The system is to be conveyed free with no incumbrances.

It appears that the North Moneta Gardens Land and Water Company desires to withdraw from the public utility business and that the transfer of the system, as indicated, would be in the public interest.

O R D E R

Application having been made to the Railroad Commission as entitled above, wherein the North Moneta Gardens Land and Water Company asks authority to transfer certain public utility described above, to Estep and Kohler, a public hearing having been held thereon, and the matter having been submitted,

IT IS HEREBY ORDERED that the authority sought in the above entitled application be and it is hereby granted, subject to the following conditions:

1. The property to be transferred consists of the south three (3) acres of Lot fifteen (15), in Tract No.874, as recorded in Book 18, page 136 of Maps, Los Angeles County records; also all tanks, pumps, motors, piping, buildings, fix-

tures and appurtenances thereon belonging to the North Moneta Gardens Land and Water Company, and used in connection with its water utility business.

2. Nothing herein contained shall be construed in any proceeding before this Commission or any other tribunal or public body, as a finding of value of the property herein described.
3. The authority granted herein to transfer said property shall apply only to such transfer as shall have been made on or before November 1, 1922.
4. Within ten (10) days after such transfer shall have been delivered, the transferees shall report that fact in writing to the Commission, together with the date upon which they took possession of said property and began its operation as a public utility, and shall at the same time file with the Railroad Commission a copy of the instrument of transfer by which they acquired title to said property.

Dated at San Francisco, California, this 14th day of
September, 1922.

H. H. Brundage
Dwight Matson
Leed T. Higgins
J. H. ...
Commissioners.