

Decision No. 11010

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the Matter of the Application)
of T. T. LANGLOIS, seller, and)
F. T. COOK, buyer, for authority)
to sell and purchase the water)
pumping plant known as the)
Westmoreland Water Company.)

Application No. 7759.

T. T. Langlois, in propria persona,
F. T. Cook, in propria persona,
J. W. Oakley, in propria persona.

BY THE COMMISSION:

O P I N I O N

Public hearings were held by Examiner Williams at Westmoreland and at Los Angeles upon the above entitled application for permission to transfer the water system and property of the Westmoreland Water Company, serving water for domestic and irrigation purposes in and in the vicinity of Westmoreland, Imperial County, California.

It developed at the hearing that H. C. Oakley and J. W. Oakley are the legal owners of the property. On December 31, 1920, Mr. Langlois entered into a contract sale agreement with the Oakleys to purchase the Westmoreland Water System. He was unable to meet the payments as they came due, and on April 5, 1921, assigned his right and title in the property to Frank T. Cook, for a consideration of \$2,050.00. A short time later a fire destroyed the pump house and tank, necessitating the expenditure of a considerable amount of money for replacement.

which Mr. Cook was unable to meet. The Oakleys advanced the money for reconstruction and by mutual agreement of all parties concerned, entered into a separate contract agreement with Mr. Cook for the purchase of the property for a consideration of \$8, 200.00.

Mr. J. W. Oakley appeared on behalf of himself and H. C. Oakley and asked to intervene as the legal owner of the water system, and later filed a petition of intervention asking authority to sell and transfer the Westmoreland Water Company to F. T. Cook, a copy of said agreement being filed at the hearing as applicant's Exhibit No. 4. Mr. Langlois at the hearing renounced all ownership in the water system.

It appears that Mr. Cook intends to devote his entire time to the conduct of this water business.

No one appeared in opposition to the application and we believe that it should be granted.

O R D E R

A public hearing having been held on the above entitled application, the matter having been submitted, and now being ready for decision,

and it appearing to this Commission that the authorization sought should be granted,

It is hereby ordered that Frank T. Cook be and he is hereby authorized to purchase from T. T. Langlois, applicant, and H. C. Oakley and J. W. Oakley, intervenors, and said T. T. Langlois, H. C. Oakley and J. W. Oakley are hereby authorized to sell to said Frank T. Cook, that certain public utility water system known as the Westmoreland Water Company and consisting of all rights, real estate, wells, pipe lines, service connections and other facilities now being used

in supplying water in Westmoreland, Imperial County, and described in detail in the inventory filed in this proceeding, subject to the following conditions:

- I - 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 said property herein authorized to be transferred.
- II - The within authority to transfer said property shall apply only to such transfer as shall have been made on or before December 31, 1922.
- III - A certified copy of the instrument of conveyance shall be filed with the Commission by H. C. and J. W. Oakley within thirty (30) days of the date on which it is executed.
- IV - Within ten (10) days of the date on which possession and control of the property herein authorized to be transferred is actually relinquished to F. T. Cook, a certified statement to that effect shall be filed with the Commission by H. C. and J. W. Oakley and T. T. Langlois, or, in case said F. T. Cook is already in control and possession of the property, a certified statement to that effect shall be filed within ten (10) days of the date hereof.

Dated at San Francisco, California, this 21st
day of September, 1922.

James Martin
Henry A. ...
J. ...

Commissioners.