

ORIGINAL

Decision No.

Decision No. 3851

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application)
of SAN GABRIEL VALLEY WATER COM-)
PANY for an order authorizing it)
to sell a water plant and system)
to the City of Alhambra, and of)
the City of Alhambra to purchase)
said property.)

Application No. 2580.

Gibson, Dunn and Crutcher, and
S. M. Haskins, for San Gabriel Valley
Water Company.
Alfred Barstow, for City of Alhambra.

EDGERTON, Commissioner.

O P I N I O N.

The authorization of this Commission is requested by San Gabriel Valley Water Company to sell its water plant and system and by the City of Alhambra to purchase said plant.

The authorization of this Commission is not necessary to permit a city to purchase a public utility plant; therefore, the order herein will be an authorization to the Water Company to sell its plant.

The property to be sold consists of a water distributing system almost entirely in the City of Alhambra, together with land and water rights.

The price to be paid is \$320,000.00, plus the cost to the Company of additions and betterments made since the date of the offer of sale and up to the time of delivery of the plant to the City. The City has voted \$325,000.00 face value of bonds to purchase this plant.

In a rate fixing proceeding, Decision No. 2916, page 481, Vol. 8, Opinions and Orders of the Railroad Commission of California, this Commission found that the reasonable cost new of the plant here involved was \$320,000.00. That decision was made November 20, 1915, and at the hearing the evidence was that approximately \$10,000.00 had been expended on this plant by the Company subsequent to the date of the above finding, which sum has not been added to the price.

The cost of additions made subsequent to the date of the offer of sale will, in the judgment of the City Engineer of Alhambra, amount to a comparatively small sum.

The City will get a complete water plant with sufficient water available to adequately serve its needs and under all the circumstances I believe the price agreed upon is reasonable.

The Company now serves consumers from this plant in territory outside of the City and the City has agreed to continue such service.

I recommend that the application be granted conditioned upon the City filing with the Commission a stipulation agreeing to continue service of water in that territory described by meets and bounds in Exhibit "A" attached to the application herein.

I submit herewith the following form of order:

O R D E R.

Application having been made by San Gabriel Valley Water Company for an order authorizing it to sell a certain water distributing system in and about the City of Alhambra, County of Los Angeles, State of California, together with land and water rights appertinent thereto, and a public hearing having been had and it appearing that said application should be granted upon certain conditions.-

IT IS HEREBY ORDERED by the Railroad Commission of the State of California that SAN GABRIEL VALLEY WATER COMPANY be and the same is hereby authorized to sell, transfer and convey to the City of Alhambra all that certain water plant and system, including a distributing system, land and water rights located in and about the City of Alhambra, County of Los Angeles, California, which said property is more particularly described in Exhibit No. 1, attached to this order and made a part hereof, reference to which is hereby made.

The purchase price to be paid said San Gabriel Valley Water Company for said property shall be the sum of \$320,000.00, plus the cost to said Company of additions and betterments made to said water plant subsequent to the date of the offer of sale made to the City of Alhambra.

This order is made upon the condition that prior to the time when the sale of this property shall be finally consummated the City of Alhambra shall file with this Commission a stipulation agreeing on the part of said City to continue to serve with water that certain territory outside the present limits of said City known as Granada Park, which territory is now being served by the San Gabriel Valley Water Company, said territory comprising approximately 180 acres, being described as follows:

1st. The West $\frac{1}{2}$ of the West $\frac{1}{2}$ of the S.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Sec. 21, T. 1 S., R. 12 W.

2nd. Part of the S.E. $\frac{1}{4}$ of Sec. 20, T. 1 S., R. 12 W., bounded as follows: Beginning at a point in the north line of said quarter section 438 feet easterly from the center line of said section; thence S. $18^{\circ} 58'$ W. 651.4 feet; thence S. $11^{\circ} 30'$ W. 354 feet; thence S. $30^{\circ} 56'$ West, 288.4 feet; thence S. $18^{\circ} 35'$ E., 891.5 feet, more or less to a stake 20 feet northerly from the center line of the Pacific Electric Railway Company's track; thence S. $57^{\circ} 32'$ W., parallel with said railway track, 345.5 feet to the West line of said Quarter Section; thence S. to the S.W. corner of said Quarter Section; thence East to the common corner of Sections 20, 21, 28 and 29; thence N. to the N.E. Corner of the S.E. $\frac{1}{4}$ of said Section 20; thence W. to the place of beginning.

3rd. Part of the N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Section 21, T. 1 S., R. 12 W. bounded as follows: Beginning at a point in the West line of said quarter section 18.3 feet southerly from the N.W. corner of said quarter section; thence parallel with the northerly line of said Section S. 89° 50' E. 380.6 feet; thence S. 30° 34' E. 996.2 feet; thence S. 22° 57' E. 170 feet; thence S. 20° 47' E. 245.4 feet, more or less, to the south line of the N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of said Sec. 21; thence S. 89° 55' W. 930.64 feet to the west line of said Sec. 21; thence N. 0° 05' W. 1301.7 feet to the place of beginning."

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 31st day of October, 1916.

H. H. ...
Edwin O. Edgerton
Franco R. ...
Commissioners.

EXHIBIT NO. 1.

Description of Property to be Conveyed
by San Gabriel Valley Water Company to
the City of Alhambra.

1st. Lot One (1), and that certain tract of land designated as "Reservoir", of Phillips Subdivision of a part of the Alhambra Addition Tract as per map thereof recorded in Book 14, Page 100, Miscellaneous Records of said County, together with reservoir thereon, known as Reservoir No. 1.

2nd. Also that certain right of way and easement over a ten foot strip in Lot Four (4) of said Phillips Subdivision of a part of the Alhambra Addition Tract as conveyed to the Alhambra Addition Water Company by deed from John Langdon and wife, dated August 31st, 1907, recorded in Book 3148 page 287 of Deeds in the office of the County Recorder of said County.

3rd. Lot One (1) in Range Eighteen (18) of the Alhambra Addition Tract as per map thereof recorded in Book 3, Pages 298 and 299 of Miscellaneous Records of said County, together with the reservoir thereon.

4th. Lots A and B of Oak Knoll Sheet "A" as per map thereof recorded in Book 10, Pages 114 and 115 of Maps in the office of said County Recorder of Los Angeles County.

5th. Lots L, M, N, O, P, R, S and T of Oak Knoll Sheet "C" as per map thereof recorded in Book 16, Pages 18 and 19 of Maps in the office of the County Recorder of said County, together with the reservoir located upon said Lot R.

6th. An easement for laying and maintaining a pipe line or pipe lines over a strip of land twenty (20) feet in width, lying easterly of and adjoining the easterly line of Kewen Drive, through Lots 90, 91, 92, 93, 95, 96, 97 and 98 of said Oak Knoll, Sheet "C", and through Lots 30 and 31 of Tract No. 2949, Sheet 3 as per Map Book 31, Pages 3, 4 and 5, Records of said County.

7th. The entire right, title and interest of the grantor in and to all water arising or flowing, developed or undeveloped, on, in, or under those certain tracts of land known as (1) Oak Knoll Sheet "A" as per map thereof recorded in Book 10, Pages 114 and 115 of Maps in the office of the County Recorder of said County; (2) Oak Knoll Sheet "B" as per map thereof recorded in Book 10, Pages 118 and 119 of maps in the office of said Recorder; (3) Oak Knoll Sheet "C" as per map thereof recorded in Book 16 Pages 18 and 19 of Maps in the office of said Recorder; (4) and that certain five acre

tract, more or less, bounded westerly by Lot 33 of Oak Knoll, Sheet "B", northerly, and northeasterly by Lot S of the Oak Knoll Sheet "C" and easterly and southerly by Mill Lake and Old Mill Road; excepting therefrom and reserving to the said San Gabriel Valley Water Company, however, a quantity of water equivalent to that which would be produced by a constant flow of 50 miners inches annually of water under a 4 inch pressure and subject to the express condition that no more than 100 miners inches constant flow under a 4 inch pressure may be withdrawn during any one day of 24 hours. Such reservation of such water shall also be subject to the further condition that it shall not be developed on any lands lying southerly of the following described line: Beginning at the most westerly corner of Lot Eighty-six (86) Oak Knoll, as per map recorded in Map Book 10, Pages 114, 115, 118 and 119 Records of Los Angeles County, California; thence northeasterly along the northwesterly line of Lots Eighty-six (86), Eighty-five (85), Eighty-four (84), Eighty-three (83), and Eighty-two (82) of said Oak Knoll to the most northerly corner of said Lot Eighty-two (82); thence in a direct line to the most northerly corner of Lot Ninety (90) Oak Knoll Sheet "C", as per map recorded in Map Book 16 Pages 18 and 19 Records of said County; thence southeasterly along the northeasterly line of Lots Ninety (90) and Ninety-one (91) of said Oak Knoll Sheet "C" to the southerly boundary line of the City of Pasadena; thence easterly along the said boundary line of the City of Pasadena to the easterly line of said Sheet "C", Oak Knoll.

Such reservation of such water is also subject to the further condition that the water so reserved shall be used only to supply the following described territory:

Beginning at the northwest corner of Lot "H" Oak Knoll, as per map recorded in Map Book 10 Pages 114, 115, 118 and 119 Records of Los Angeles County, California; running thence in a direct line to the northeast corner of Lot Eighty-seven (87) of said Oak Knoll; thence in a direct line to the northwest corner of Lot Eighty-nine (89) of said Oak Knoll, the same being a point in the easterly line of El Molino Avenue; thence southerly along the easterly line of said El Molino Avenue as it now exists to the southwest corner of Lot Twenty-two (22) Oak Knoll Addition, as per map recorded in Map Book 11 Page 41 Records of said County; thence southeasterly along the southwesterly boundary line of said Oak Knoll Addition to the most southerly corner of Lot Six (6) of said Oak Knoll Addition, the same being a point in the northwesterly line of Huntington Drive; thence northeasterly along the northwesterly line of said Huntington Drive, as Huntington Drive now exists, to the most southerly corner of Lot Two (2) Lake Vineyard, as per map recorded in Map Book 12, Page 52 Records of said County, the same being the northeasterly corner of Huntington Drive and Virginia Road; thence northwesterly along the northeasterly line of said Virginia Road, as said Virginia Road now exists to the most southerly corner of Lot Fifteen (15) Tract No. 3024, as per map recorded in Map Book 31 Pages 73 and 74 Records of

said County; thence easterly, northerly and northwesterly along the southerly, easterly and northeasterly boundary of said Tract No. 3024 to the most northerly corner of Lot Eight (8) of said Tract No. 3024, the same being a point in the southeasterly line of Rosalind Road; thence northeasterly along the southeasterly line of said Rosalind Road to the southwest corner of Lot Five (5) Los Robles Sheet 2, as per map recorded in Map Book 20 Page 68 Records of said County; thence in a northerly direction along the westerly line of Lots Five (5) and Four (4) of said Los Robles Sheet 2 to the northwest corner of said Lot Four (4), the same being a point in the easterly line of Arden Road; thence northerly along the easterly line of Arden Road as shown on Arden Road Tract, as per map recorded in Map Book 12 Page 30 Records of said County, to its intersection with the southerly line of California Street as shown on said Arden Road Tract; thence in a direct line to the northwest corner of Lot Seventeen (17) of said Arden Road Tract; thence southerly and westerly along the westerly and northerly boundary line of said Arden Road Tract to the northwest corner of Lot Seven (7) of said Arden Road Tract; thence in a direct line to the northeast corner of Lot Six (6) of said Arden Road Tract; thence in a direct line to the northwest corner of Lot Six (6) of said Arden Road Tract; thence southerly along the westerly line of said Lot Six (6) to the northeast corner of Lot Five (5) of said Arden Road Tract; thence in a direct line to the northwest corner of Lot "A" Tract No. 1298, as per map recorded in Map Book 18 Page 37 Records of said County; thence in a direct line to the northeast corner of Lot Two (2) of said Arden Road Tract; thence in a direct line to the northwest corner of Lot One (1) of said Arden Road Tract; thence in a direct line to the most northerly corner of said Lot "H"; thence westerly along the northerly line of said Lot "H" to the point of beginning:

Excepting also the water now developed and being produced from Lot "C", said Oak Knoll Sheet "B" to a maximum quantity of 15 miners inches average constant flow measured under a 4 inch pressure:

Excepting also any water or water rights developed on or pertaining to Lot Seventy-five (75) of said Oak Knoll Sheet "A":

Excepting also such quantity of water as can be reasonably used for irrigation and domestic use upon any other lot or lots in said tracts upon which developments may be made:

The conveyance of water above described being subject, however, to any and all water now flowing or that may hereafter flow from the tunnels in said Lots Fifty-eight (58), Fifty-nine (59) and Sixty (60) of said Oak Knoll, Sheet "B", and to all water rights conveyed to W. P. Gardiner, et al., by deeds recorded in Book 263 at page 243, of deeds, and in Book 821 at page 13, of deeds, in the office of the Recorder of said County; grantor agreeing, however, that it will not extend said tunnels beyond their present point of development, but reserving the right to keep said tunnels in repair.

8th. The entire right, title and interest of the grantor in and to all water arising or flowing.

developed or undeveloped, on, in or under that certain tract of land in the City of Alhambra, County of Los Angeles, State of California, bounded as follows:

On the north by the right of way of the Southern Pacific Railway Company, east by the east line of the City of Alhambra; south by Hellman Avenue and west by Sixth Street, except such quantity of water as can be reasonably used for irrigation and domestic use upon any certain lot or tract of land within the above described tract upon which development may be made.

9th. Also an easement for laying and maintaining a pipe line or pipe lines over, along or under Lots E and F of Tract 612 as per Map of said Tract recorded in Book 15, Pages 174 and 175 of Maps, Records of said County.

10th. Also an easement over a portion of Lot 15, Tract No. 2949, as per map recorded in Map Book 31, Pages 3, 4 and 5 Records of Los Angeles County, California, for the purpose of operating and making necessary repairs on existing sand box and pipe line that connects to well on Lot T, Oak Knoll Sheet "C", as per map recorded in Map Book 16 Pages 18 and 19, Records of said County, described as follows:

Beginning at the most northerly corner of said Lot T, Oak Knoll Sheet "C" running thence S. 62° 41' W. along the northwesterly line of said Lot T, 59.50 feet to the true point of beginning; thence from the true point of beginning N. 27° 19' W. 63 feet to a point; thence N. 47° 00' E. 9 feet to a point; thence N. 43° 00' W. 150 feet to a point; thence S. 47° 00' W. 20.69 feet to a point; thence S. 43° 00' E. 15 feet to a point; thence N. 47° 00' E. 6.50 feet to a point; thence S. 27° 19' E. 61.60 feet to a point in the northwesterly line of said Lot T; thence N. 62° 41' E. 5 feet to the true point of beginning.

11th. Also a sixteen (16") inch pipe line extending from the reservoir located upon Lot R of said Oak Knoll Sheet "C" over and along Lot S and Mill Lane as shown on Map of said Oak Knoll Sheet "C", and over and along Lots E and F and Old Mill Road as shown on map of said Tract No. 612, above referred to, to Huntington Drive.

12th. Also a fourteen inch (14") pipe line extending from the intersection of Huntington Drive and Old Mill Road, westerly along Huntington Drive to Granada Avenue as said Avenue is shown on Map of El Molino, recorded in Book 12, Page 49 of Maps, Records of said County, and southeasterly along said Granada Avenue, to an intersection with a fourteen inch (14") main on Alhambra Road.

13th. Also all that water distributing system of said grantor within the City Boundary lines of the City of Alhambra.

14th. Also such improvements, buildings, tanks, machinery, tools, pumps, derricks, motors, materials, supplies, and other appliances as are now on the real property herein described as to be conveyed; also tools of the value of \$1,000.00, and supplies of the value of \$1,000.00, to be selected by the grantee from the stock of the grantor; also the Mitchell automobile now in use by the grantor.

15th. Also all maps and records pertaining exclusively to the water system in Alhambra; also one addressograph, one graphotype and stencils for Alhambra system.