

Decision No 5670 -

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
EAST BAY WATER COMPANY, a corporation,
for an order authorizing sale of
real property.

} Application No. 4000
}

ORIGINAL

BY THE COMMISSION:

Applicant has filed with this Commission a schedule of real property denominated "Schedule of non-operative real property", and has asked permission to sell said real property as described in said schedule.

The Commission has investigated the matter and finds that the property described is non-operative property and not necessary or used or useful to the East Bay Water Company in the discharge of its duties to the public as a public utility, as such duties are set forth in Section 51 (a) of the Public Utilities Act. The Commission finds that a hearing is not necessary in the decision of this matter and same is disposed of by the following order:

O R D E R

The East Bay Water Company, a public utility corporation, having applied to this Commission for permission to sell certain non-operative property, and the Commission finding that the application should be granted,

IT IS HEREBY ORDERED that the East Bay Water Company be and it is hereby granted permission to sell certain non-operative real property more particularly described

and set forth in a schedule filed with its application and made a part thereof, such application bearing date August 7, 1918, as follows:

"SCHEDULE OF NON-OPERATIVE REAL PROPERTY.

I.

That certain parcel of real property situated in the County of Contra Costa, State of California, and described as follows, to-wit:

BEGINNING at a point in the South line of Section Thirty-five (35), Township Two (2) North, Range Five (5) West, Mount Diablo Base and Meridian, said point being Six hundred sixty (660) feet due West from the Southeast corner of said section; thence North Six hundred ninety-three (693) feet to a stake; thence due West Six Hundred sixty (660) feet to a stake; thence South Six hundred ninety-three (693) feet to a granite monument and a 3 x 3 redwood stake marked 31, 30, 3, 2 and S. P. 5; thence along the North line of a road thirty (30) feet wide, East Six hundred sixty (660) feet to the point of beginning.

CONTAINING 10.50 acres.

BEING a portion of Lot 201, San Pablo Rancho, as said Lot 201 is so delineated and designated on that certain map entitled, "Map of San Pablo Rancho, accompanying and forming a part of the Final Report of the Referees in Partition", a certified copy of which said map was filed in the office of the County Recorder of Contra Costa County, March 1, 1894; and also being a portion of Lot 31, Section Thirty-five (35), Township Two (2) North, Range Five (5) West, Mount Diablo Base and Meridian, of the swamp and overflowed lands of Contra Costa County.

II.

That certain parcel of real property situated in the County of Contra Costa, State of California, and described as follows, to-wit:

BEGINNING at a point on the North line of Section Two (2), Township One (1) North, Range Five (5) West, Mount Diablo Base and Meridian, and distant Thirteen hundred fifty (1350) feet due West from the Northeast corner of said Section Two (2), said point of beginning being Thirty (30) feet due West from a granite monument marked S.P. 5, and a stake marked 31, 30, 3 and 2; thence along the West line of a road Thirty (30) feet wide South One hundred forty-three and fifteen hundredths (143.15) feet to the Northerly bank

of San Pablo Creek; thence South $36^{\circ} 7'$ West crossing San Pablo Creek Seventy-seven and forty-five hundredths (77.45) feet to a stake on the Southerly bank of said creek; thence South $0^{\circ} 11'$ West parallel to and distant Thirty (30) feet measured at right angles Westerly from an existing fence a distance of Twelve hundred eighty-one and seventy hundredths (1281.70) feet to a stake; thence leaving said road West Five hundred seventy-eight and three tenths (578.3) feet to a stake; thence North Fourteen hundred eighty-seven and forty-one hundredths (1487.41) feet to a 3 x 3 redwood stake marked 3, 4, 29 and 30; thence East crossing San Pablo Creek Six hundred thirty(630) feet to the point of beginning.

CONTAINING Twenty (20) acres and being a portion of Lots 3 and 14, Section Two (2), Township One (1) North, Range Five (5) West, Mount Diablo Base and Meridian, of the marsh and overflowed lands of Contra Costa County, California.

III.

That certain parcel of real property situated in the County of Contra Costa, State of California, and described as follows, to-wit:

BEGINNING at a point on the line between Sections Thirty-five (35) and Thirty-six (36), Township Two (2) North, Range Five (5) West, Mount Diablo Base and Meridian, said point being North Six hundred ninety-three (693) feet from the Southwest corner of said Section Thirty-six (36); thence East Six hundred sixty (660) feet to a stake; thence North Six hundred twenty-seven (627) feet to a 3 x 3 redwood stake marked 23, 24, 25, 26; thence along the South line of a road Twenty (20) feet wide, West Six hundred sixty (660) feet to a 3 x 3 redwood stake marked 24, 17, 32, 25, being the Northwest corner of the Southwest one-quarter (S.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of said Section Thirty-six (36); thence South Six hundred twenty-seven (627) feet to the point of beginning.

CONTAINING 9.50 acres.

BEING a portion of Lot 201, San Pablo Rancho, as said Lot 201 is so delineated and designated on that certain map entitled "Map of San Pablo Rancho, accompanying and forming a part of the Final Report of the Referees in Partition", a certified copy of which said map was filed in the office of the County Recorder of Contra Costa County, California, March 1, 1894; and also being a portion of Lot 25, Section Thirty-six (36), Township Two (2) North, Range Five (5) West, Mount Diablo Base and Meridian, of the swamp and overflowed land of Contra Costa County.

IV.

That certain parcel of real property situated in the County of Contra Costa, State of California, and described as follows, to-wit:-

BEGINNING at the Southwest corner of the land of Alberto Ratto, said Southwest corner being located South $39^{\circ} 22' 53''$ East and distant Four hundred forty-three and $26/100$ (443.26) feet from the Northwest corner of the Southeast one-quarter (S.E. $1/4$) of Section Two (2), Township One (1) North, Range Five (5) West, Mount Diablo Base and Meridian; thence East along the South boundary line of land of said Alberto Ratto, Nine hundred eighty-one and $83/100$ (981.83) feet to an existing fence line; thence South $0^{\circ} 11'$ West along said fence Four hundred forty-seven and $94/100$ (447.94) feet to the Northeast corner of the land of Guiseppe Pippo; thence West along the North boundary line of land of said Guiseppe Pippo, Nine hundred eighty and $40/100$ (980.40) feet to the Northwest corner of same; thence North Four hundred forty-seven and $94/100$ (447.94) feet to point of beginning.

CONTAINING Ten and $89/1000$ (10.089) acres.

SAVING AND EXCEPTING therefrom a strip of land Twenty (20) feet wide and Four hundred forty-seven and $94/100$ (447.94) feet long, containing $206/1000$ (.206) acres, and being the most Easterly Twenty (20) feet of the above described parcel of land, said strip to be used for road purposes.

BEING a portion of Lots Nineteen (19) and Twenty (20), of Section Two (2), Township One (1) North, Range Five (5) West, Mount Diablo Base and Meridian, of the Swamp and Overflowed Land of Contra Costa County, California.

V.

That certain parcel of real property situated in the County of Contra Costa, State of California, and described as follows, to-wit:

BEGINNING at the Southwest corner of the land of Pietro Pippo, said Southwest corner being located South $19^{\circ} 35' 29''$ East distant Eight hundred thirty-nine and $17/100$ (839.17) feet from the Northwest corner of the Southeast one-quarter (S.E. $1/4$) of Section Two (2), Township One (1) North, Range Five (5) West, Mount Diablo Base and Meridian; thence East along the South boundary line of the land of said Pietro Pippo, Nine hundred eighty and $40/100$ (980.40) feet to an existing fence; thence South $0^{\circ} 11'$ West along said fence Four hundred ninety four and $69/100$ (494.69) feet to a point in the North bank of Wild Cat Creek; thence along said North bank North $88^{\circ} 5'$ West, Two hundred forty-four and $1/100$ (244.01) feet to a stake; thence North $80^{\circ} 46'$ West Three hundred sixty and $90/100$ (360.90) feet to a stake; thence North $80^{\circ} 1'$ West One hundred eighty-one and $87/100$ (181.87) feet to a stake; thence North $73^{\circ} 56'$ East Two hundred seven and $79/100$ (207.89) feet to a stake; thence leaving said North bank North Three hundred thirty-nine and $79/100$ ~~xxx~~ (339.79) feet to point of beginning.

CONTAINING Nine and $883/1000$ (9.883) acres and being a portion of Lots Nineteen (19) and Twenty (20) of Section Two (2), Township One (1) North, Range Five (5) West, Mount Diablo Base and Meridian, of the Swamp and Overflowed Land of Contra Costa County, California.

VI.

Those certain parcels of real property situated in the County of Contra Costa, State of California, and described as follows, to-wit:-

First:- BEGINNING at a 3 x 3 redwood stake marked 13, 14, 19 and 20, in the North line of a road Thirty (30) feet wide, and said stake being located Six Hundred sixty (660) feet due East from the Northwest corner of the Southeast one-quarter (S.E. 1/4) of Section Two (2), Township One (1) North, Range Five (5) West, Mount Diablo Base and Meridian; thence North Two hundred twenty-five and 59/100 (225.59) feet to a stake; thence East Five hundred seventy-four and 82/100 (574.82) feet to a point in the Western line of a road Thirty (30) feet wide, said point being located Thirty (30) feet distant measured at right angles Westerly from an existing fence line; thence South $0^{\circ} 11'$ West along the Western line of said road and parallel to said fence line a distance of Two hundred twenty-five and 59/100 (225.59) feet to a point in the North line of the first above mentioned road; thence West Five hundred seventy-four and 10/100 (574.10) feet to a point of beginning.

CONTAINING Two and 975/1000 (2.975) acres, and being a portion of Lot 14, Section Two (2), Township One (1) North, Range Five (5) West, Mount Diablo Base and Meridian, of the Swamp and Overflowed Lands of Contra Costa County, California.

Second:- BEGINNING at a point on the South line of a road Thirty (30) feet wide, said point being located South $83^{\circ} 54' 43''$ East distant Two hundred eighty-two and 87/100 (282.87) feet from the North-west corner of the Southeast one-quarter (S.E. 1/4) of Section Two (2), Township One (1) North, Range Five (5) West, Mount Diablo Base and Meridian; thence East along the South line of said road Nine hundred eighty-two and 83/100 (982.83) feet to an existing fence line; thence along said fence South $0^{\circ} 11'$ West Three hundred twelve and 65/100 (312.65) feet to the Northeast corner of the land of Pietro Pippo; thence West along the North boundary line of land of said Pietro Pippo, Nine hundred eighty-one and 23/100 (981.83) feet to the Northwest corner of said parcel of land; thence North Three hundred twelve and 65/100 (312.65) feet to point of beginning.

CONTAINING Seven and 52/1000 (7.052) acres, saving and excepting therefrom a strip of land Twenty (20) feet wide and Three hundred twelve and 65/100 (312.65) feet long, containing 144/1000 (0.144) acres, and being the most Easterly Twenty (20) feet of the above described parcel of land, said strip to be used for road purposes.

BEING a portion of Lots 19 and 20 of Section Two (2), Township One (1) North, Range Five (5) West, Mount Diablo Base and Meridian, of the Swamp and Overflowed Lands of Contra Costa County, California.

VII.

That certain parcel of real property situated in the County of Contra Costa, State of California, and described as follows, to-wit:-

BEGINNING at a point in the line between Sections Thirty-five (35) and Thirty-six (36), Township Two (2) North, Range Five (5) West, Mount Diablo Base and Meridian, said point of beginning being located due North, and distant Six hundred ninety-three (693) feet from the Southeast corner of said Section Thirty-five (35), this said point of beginning also being the Northeast corner of a certain Ten and 50/100 (10.50) acre tract of land sold to Andrew Anfibolo; thence North Six hundred twenty-seven (627) feet to a 3 x 3 redwood stake marked 17, 24, 25 and 32; thence West Four hundred ninety-four and 34/100 (494.34) feet more or less to the line of Tide Land Survey; thence along this said survey line South $64^{\circ} 30'$ West One hundred seventeen and 48/100 (117.48) feet more or less; thence South Five hundred eighty and 80/100 (580.80) feet more or less to the Northwest corner of above mentioned Ten and 50/100 (10.50) acre tract; thence East along the North line of this said Ten and 50/100 (10.50) acre tract Six hundred sixty (660) feet to a point of beginning.

CONTAINING Nine and 20/100 (9.20) acres more or less, and being a portion of Lot Thirty-two (32), Section Thirty-five (35), Township Two (2) North, Range Five (5) West, Mount Diablo Base and Meridian, of the Swamp and Overflowed Lands of Contra Costa County, California, and a portion of Lot Two hundred one (201), as said lot is so delineated and designated on that certain map entitled, "Map of the San Pablo Rancho accompanying and forming a part of the Final Report of the Referees in Partition", of said rancho, a certified copy of which said map was filed in the office of the County Recorder of Contra Costa County, March 1, 1894.

VIII.

That certain parcel of real property situated in the County of Contra Costa, State of California, and described as follows, to-wit:-

BEGINNING at the point of intersection of the center line of San Pablo Creek Road, Section No. 4, with the center line of the Clark Road; thence along the center line of said Clark Road South $1^{\circ} 19'$ West,

Eight hundred forty-seven and 45/100 (847.45) feet; thence leaving said road South 85° 30' West, Three hundred fifty-four and 85/100 (354.85) feet to the boundary line between San Pablo Rancho and Rancho El Sobrante; thence along said boundary line South 4° 30' East, Twelve hundred three (1203) feet; thence leaving said boundary line North 85° 30' East, Eight hundred seventy-three and 5/10 (873.5) feet; thence North 8° 24' East, Seven hundred eighty-one and 6/10 (781.6) feet; thence North 85° 30' East, Eight hundred ninety-one and 7/10 (891.7) feet to a fence line of the Western line of Lot 33; thence along said Western line of Lot 33 North 9° 43' East, Two hundred forty-six and 9/10 (246.9) feet to the center line of the Lynch Road; thence along said center line of Lynch Road North 57° 26' West, Four hundred ninety-two and 3/10 (492.3) feet to a granite monument at the inter-section of the center line of said Lynch Road with above mentioned San Pablo Creek Road, Section No. 4; thence along center line of said San Pablo Creek Road North 61° 56' West, Thirteen hundred eighty-seven and 5/10 (1387.5) feet to the point of beginning.

BEING a portion of Lot Twenty-five (25), as said Lot is so delineated and designated on that certain map entitled, "Map of the Rancho El Sobrante, accompanying and forming a part of the Final Report of the Referees in Partition of said Rancho", a certified copy of which said map was filed in the office of the County Recorder of Contra Costa County, March 14, 1910.

CONTAINING 49.828 acres.

IX.

That certain parcel of real property situated in the County of Contra Costa, State of California, and described as follows, to-wit:-

BEGINNING at a granite monument and stake marked 2, 3, 30 and 31 on the South line of Section Thirty-five (35), Township Two (2) North, Range Five (5) West, Mount Diablo Base and Meridian, Thirteen hundred twenty (1320) feet due West from the Southeast corner of said Section Thirty-five (35); thence North Six hundred ninety-three (693) feet; thence West Six hundred sixty (660) feet; thence South Six hundred ninety-three (693) feet to a stake on the said South line of Section Thirty-five (35) marked 29, 30, 3 and 4; thence East along said South line Six hundred sixty (660) feet to the point of beginning.

CONTAINING Ten and 5/10 (10.5) acres and being a portion of Lot 30, Section Thirty-five (35), Township Two (2) North, Range Five (5) West, Mount Diablo Base and Meridian, of the Swamp and Overflowed Lands of Contra Costa County, California.

RESERVING therefrom a right of way Fifteen (15) feet wide for road purposes along and immediately adjacent to the East line of the above described parcel of land.

X.

That certain parcel of real property situated in the County of Alameda, State of California, and described as follows, to-wit:-

BEGINNING at the Southeastern corner of a tract of six hundred eighty-four (684) acres of land now or formerly belonging to W. S. Cull, and running thence South $12^{\circ} 45'$ East, Twenty-three and $25/100$ (23.25) chains along the Eastern boundary of the eight hundred sixty-one and $57/100$ (861.57) acre tract now or formerly belonging to D. J. Kraemer and M. Henry; thence South $62^{\circ} 30'$ West, Ninety-six and $63/100$ (96.63) chains to a point on the Western boundary of said eight hundred sixty-one and $57/100$ (861.57) acre tract; thence along the Western boundary of said eight hundred sixty-one and $57/100$ (861.57) acre tract North $5^{\circ} 30'$ East, Three and $61/100$ (3.61) chains; thence North 9° West Twenty and $50/100$ (20.50) chains; thence leaving said Western boundary and along the Southern boundary of above mentioned six hundred eighty-four (684) acre tract North $62^{\circ} 30'$ East, Ninety-three and $92/100$ (93.92) chains to point of beginning.

BEING a portion of the Rancho San Lorenzo in Eden Township, Alameda County, California, and containing Two hundred thirteen and $90/100$ (213.90) acres.

XI.

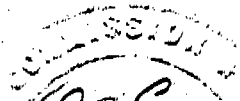
That certain parcel of real property situated in the County of Contra Costa, State of California, and described as follows, to-wit:-

BEGINNING at a granite monument in the center of the San Pablo Creek Road, said road being 66 feet wide and on the boundary line between the Ranchos San Pablo and El Sobrante, distant 186 feet South $4^{\circ} 30'$ East from a granite monument on the said boundary line marked S.P. 166 and El Sobrante 66; thence along the

center of said road South 62° East 521.4 feet to the center of the Clark Road, said Clark Road being 50 feet wide; thence along the center of said Clark Road South 1° 15' West 847.45 feet; thence leaving said road South 85° 30' West 354.85 feet to the boundary line between said Ranchos; thence along said boundary line North 4° 30' West 1123.32 feet to point of beginning; containing an area of 9.105 acres;

BEING a portion of Lot No. 25, as said lot is so delineated and designated upon that certain Map entitled "Map of the Rancho El Sobrante, accompanying and forming a part of the Final Report of the Referees in Partition", a certified copy of which said map was filed in the office of the Recorder of Contra Costa County, California, March 14, 1910."

Dated at San Francisco, California, this 10th day of August, 1918.


Edwin D. Edgerton
Arthur J. ...
Alvin Gordon

Commissioners.