

ORIGINAL

Decision No. 5742

Before The Railroad Commission Of The State of California

In the Matter of the Application of La Habra Valley Land and Water Company, a Corporation, to sell, and Newport Heights Irrigation District, a Corporation, and Newport Mesa Irrigation District, a Corporation, to buy a certain Water Plant of said La Habra Valley Land and Water Company. Application 4042.

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BY THE COMMISSION:

SUPPLEMENTAL ORDER

Error in the Decision of this Commission, No.5740, in the above entitled matter having been discovered, the order in that decision is hereby amended to the following:

The La Habra Valley Land and Water Company having applied to this Commission for authority to sell, and the Newport Heights Irrigation District and the Newport Mesa Irrigation District each to buy portions of the water plant of La Habra Valley Land and Water Company for agreed prices, and it appearing that this is a matter which does not require hearing and that the public interest will be furthered by granting such application,

IT IS HEREBY ORDERED that the La Habra Valley Land and Water Company be and it is hereby given authority to sell to the Newport Heights Irrigation District the property described in Exhibit "A", annexed to and made a part of the application, and to the Newport Mesa Irrigation District the property described in Exhibit "B", annexed to and made a part of the

application, copies of which exhibits are attached hereto.

Dated at San Francisco, California, this 18th day
of September, 1918.

Edwin O. Esquith

H. B. Lyland

Alfred L. Gordon

Frank R. Decker

Commissioners.

THIS INDENTURE, made the 19th day of August in the year of our Lord one thousand nine hundred and eighteen.

Between ORANGE COUNTY TITLE COMPANY, a Corporation, having its principal place of business at Santa Ana, California, the party of the first part, and NEWPORT MESA IRRIGATION DISTRICT, a Corporation, the party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten (10.00) Dollars, lawful money of the United States of America, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the said party of the second part, and to its successors and assigns forever, all that certain lot, piece or parcel of land situate, lying and being in the County of Orange, State of California, bounded and particularly described as follows, to-wit:

1st. Lot Ten hundred twelve (1012) of Newport Mesa Tract, as shown on a Map recorded in Book 5, page 1 of Miscellaneous Maps, records of Orange County, California.

2nd. All of the pipe lines, stand pipes, gates, valves and other equipment owned by the party of the first part located on Newport Mesa Tract, as shown on a Map recorded in Book 5, page 1 of Miscellaneous Maps, records of Orange County, California, and the First Addition to Newport Mesa Tract, as shown on a Map recorded in Book 8, page 61 of Miscellaneous Maps, records of Orange County, California.

Together with the right of way over the land upon which the above pipe lines are constructed, together with a right of way for the construction and maintenance of pipe lines for irrigation purposes over any of the streets in the above mentioned Newport Mesa Tract and the First Addition to Newport Mesa Tract on which pipe lines have not heretofore been constructed. Also all rights of way heretofore reserved by Anna M. Townsend and Stephen Townsend, her husband, in the conveyance of any of the lots in the above mentioned tracts.

EXHIBIT "A".

THIS INDENTURE, made the 19th day of August in the year of our Lord one thousand nine hundred and eighteen.

Between ORANGE COUNTY TITLE COMPANY, a Corporation, having its principal place of business at Santa Ana, California, the party of the first part, and NEWPORT HEIGHTS IRRIGATION DISTRICT, a Corporation, the party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars, lawful money of the United States of America, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the said party of the second part, and to its successors and assigns forever, all those certain lots, pieces or parcels of land situate, lying and being in the County of Orange, State of California, bounded and particularly described as follows, to-wit:

1st. The South-east one-half (SE $\frac{1}{2}$) of the South-west one-half (SW $\frac{1}{2}$) of the South-east one-half (SE $\frac{1}{2}$) of Lot One hundred forty-two (142) in Block Six (6) of Irvine's Subdivision of the Rancho San Joaquin, Lomas de Santiago and Flint and Bixby Allotment in the Rancho Santiago de Santa Ana, as shown on a Map recorded in Book 1, page 88 of Miscellaneous Maps, records of Orange County, California. Saving and excepting a strip 30 feet wide off the entire South-westerly side and a strip 30 feet wide off the entire South-easterly side of said 20 acres, and the right of way for all necessary pipe lines over and across said 20 acres, as reserved in the deed from The Irvine Company, a Corporation, to the La Habra Valley Land and Water Company, a Corporation, recorded in Book 160, page 160 of Deeds, records of Orange County, California.

Together with the water rights and rights of way conveyed by The Irvine Company to the La Habra Valley Land and Water Company, a Corporation, by deed recorded in Book 160, page 160 of Deeds, records of Orange County, California.

2nd. The right of way for pipe line and all pipe, etc., as now established from the pumping plant erected by the La Habra Valley Land and Water Company, a Corporation, on the land above described over and across the lands owned by the said Irvine Company, to the lands included in the boundaries of the Newport Heights Irrigation District as described in a petition for the organization of the Newport Heights Irrigation District, filed with the Board of Supervisors of Orange County, California, on the 7th day of May, 1918.

3rd. Lot Forty-three (43), excepting therefrom the North-westerly 3 acres, and Lot Forty-four (44), excepting therefrom the South-easterly 462 feet, of Newport Heights, as shown on a Map recorded in Book 4, page 83 of Miscellaneous Maps, records of Orange County, California. Reserving therefrom a right of way for all necessary pipe lines.

4th. A right of way over the North-westerly 12 feet of the South-easterly 462 feet of Lot Forty-four (44) of Newport Heights, as shown on a Map recorded in Book 4, page 83 of Miscellaneous Maps, records of Orange County, California, to get to and repair the reservoir adjoining said South-easterly 462 feet of said Lot Forty-four (44), as reserved in the deed from the La Habra Valley Land and Water Company, a Corporation, to Peter Beatty, dated February 10th, 1912, recorded March 4th, 1912.

5th. All of the pipe lines, stand pipes, gates, valves, and other equipment owned by the party of the first part, located on the territory of the Newport Heights Irrigation District as described in a petition for the organization of the Newport Heights Irrigation District filed with the Board of Supervisors of Orange County, California, on the 7th day of May, 1918; together with the right of way over the land upon which the above pipe lines are constructed; also a right of way for the construction and maintenance of pipe lines for irrigation purposes over any of the streets in the above mentioned Irrigation District on which pipe lines have not heretofore been constructed; also all rights of way heretofore reserved by the La Habra Valley Land and Water Company, a Corporation, in the conveyance of any lots or parcel of land in the above mentioned Irrigation District.