

ORIGINAL

Decision No. 6038.

BEFORE THE RAILROAD COMMISSION OF THE  
STATE OF CALIFORNIA.

In the Matter of the application of	)	
JOHN L. MATHIEWS, L.B. ULREY, H.E.	)	
WETZEL and F.L. HOGUE, for an order	)	
authorizing the sale and conveyance	)	
of Canal B and certain other property	)	<u>Application Number 3468.</u>
formerly owned by the Monterey County	)	
Water Company by said John L. Mathews,	)	
L.B. Ulrey and H.E. Wetzel to said	)	
F.L. Hogue.	)	

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BY THE COMMISSION:

O R D E R.

Applicants ask authority to transfer the following properties:--

"All of the lots numbered 1, 2 and 3, containing in gross an area of 1249.5 acres; canal known as the Monterey County Water Co.'s canal "B", containing an area of 28.5 acres; and the "Head-gate site" containing 44.09 acres; all as shown and delineated on the Map of "Ranch No. 3" of the Spreckels Sugar Company, prepared in August 1915, and being portions of the San Lorenzo Rancho; and being all the premises heretofore agreed to be sold and conveyed to said vendors by the Spreckels Sugar Company and the Monterey County Water Company.

With the improvements thereon and the appurtenances."

Part of the properties appear to be of a public utility and part of a non-public utility nature. For a detailed description of the public utility properties reference is here made to Decision Number 4410, dated June 19, 1917 (Vol. 13, Opinions and Order of the Railroad Commission of California, p. 391).

In view of the fact that the applicants have filed a revised agreement of sale, it does not appear to the Commission that

this is a case in which a public hearing is necessary.

IT IS HEREBY ORDERED, that JOHN L. MATHEWS, L.B. ULREY and H.E. WETZEL be, and they are hereby, authorized to transfer to F.L. HOGUE, the property described above, pursuant to the terms and conditions of the revised agreement of sale, filed with the Railroad Commission May 24, 1918, upon the following conditions, to-wit:-

- (1).-- The authority herein granted shall not become effective until F.L. Hogue shall have filed with this Commission a stipulation stating that upon receiving title to said property he will continue to perform the public utility obligations of John L. Mathews, L.B. Ulrey and H.E. Wetzel and formerly of Monterey County Water Company in so far as said public utility property, sometimes referred to as "Canal B", is concerned, and will give at least as adequate and extensive public utility service as has been furnished by John L. Mathews, L.B. Ulrey and H.E. Wetzel or Monterey County Water Company, from said canal, and that neither he, his successors or assigns will ever claim before this Commission, or any other public body, that the consideration given for said property constitutes its value for rate-fixing purposes.
- (2).-- Within thirty days after the conveyance of said property has been made, F.L. Hogue shall file with the Railroad Commission a certified copy of the deed of conveyance.
- (3).-- The authority herein granted to transfer property shall apply only to such transfer as may be made on or before August 1, 1919.

Dated at San Francisco, California, this 30<sup>th</sup> day of December, 1918.

Edwin O. Edgerton  
Arthur J. ...  
John G. ...  
Frank ...

COMMISSIONERS.