

Decision No. 7998

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.)

ORIGINAL

Application No. 6023.

BY THE COMMISSION.

O R D E R

The East Bay Water Company having made application to the Railroad Commission for authority to sell certain non-operative real property more fully described in schedule marked "Schedule of Non-Operative Real Property of East Bay Water Company", which schedule is hereto annexed,

And it appearing to the Commission that the property described in said schedule is not necessary or used or useful to East Bay Water Company in the discharge of its duties to the public, and that a public hearing in said matter is not necessary,

IT IS HEREBY ORDERED that East Bay Water Company be, and it is hereby granted authority to sell that certain real property described in said schedule hereto attached, which schedule is hereby made a part of this order.

Dated at San Francisco, California, this 23^d day of August, 1920.

Edwin C. Edwards
H. D. Loveland
Frank R. Kern
H. R. Boudreau

Commissioners.

SCHEDULE OF NON-OPERATIVE REAL PROPERTY
OF EAST BAY WATER COMPANY.

I.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

Lot No. 25 of the Rancho El Sobrante, as said lot is so delineated and designated upon the "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, California, on the 14th day of March, 1910, excepting the following described pieces:

(1) COMMENCING at the Northwest corner of Specific Tract "C" of said Rancho El Sobrante and running thence North $0^{\circ} 30'$ West Twenty-two hundred ten (2210) feet; thence North $57^{\circ} 25'$ East Ten hundred eighty (1080) feet to the center of San Pablo Creek; thence following the center line of said San Pablo Creek to the Northeast corner of said Specific Tract "C"; thence East Thirty-eight hundred forty-seven and $8/10$ (3847.8) feet to the point of commencement.

CONTAINING One hundred fifty-five (155) acres, more or less.

(2) BEGINNING at a point on the intersection of the Southern line of the San Pablo Creek Road (Section No.4) with the boundary line between the Ranchos San Pablo and El Sobrante, said point being distant Two hundred twenty-five and $12/100$ (225.12) feet from a granite monument on the said boundary line marked S. P. 616, and El Sobrante 66; thence along the Southern line of said San Pablo Creek Road (Section No.4) South 62° East Four hundred eighty-eight and $97/100$ (488.97) feet to the intersection of the Southern line of the said San Pablo Creek Road (Section No.4) and the Western line of Clark Road; thence along said Western line of Clark Road South $1^{\circ} 15'$ West, Eight hundred twenty-five and $63/100$ (825.63) feet; thence leaving said Western line of Clark Road South $85^{\circ} 30'$ West, Three hundred twenty-nine and $65/100$ (329.65) feet to the boundary line between said Ranchos; thence along said boundary line North $4^{\circ} 30'$ West One thousand eighty-four and $20/100$ (1084.20) feet to the point of beginning.

CONTAINING an area of 8.24 acres.

(3) BEGINNING at the intersection of the Southern line of the San Pablo Creek Road (Section No.4) with the Eastern line of Clark Road; thence along the Eastern line of said Clark Road South $1^{\circ} 12'$ West Seven hundred ninety-four and $2/10$ (794.2) feet; thence leaving said Clark Road South $85^{\circ} 30'$ West Three hundred seventy-nine and $97/100$ (379.97) feet to the boundary line between San Pablo Rancho and Rancho El Sobrante; thence along said boundary line South $4^{\circ} 30'$ East Twelve hundred three (1203) feet; thence leaving said boundary line North $85^{\circ} 30'$ East Eight hundred seventy-three and $5/10$ (873.5) feet; thence North $8^{\circ} 24'$ East Seven hundred eighty-one and $6/10$ (781.6) feet; thence North $85^{\circ} 30'$ East Eight hundred ninety-one and $7/10$ (891.7) feet to a fence line on the Western line of Lot 33 of said Rancho El Sobrante; thence along said Western line of Lot 33 North $9^{\circ} 43'$ East Two hundred twenty-five and $2/10$ (225.2) feet to the Southern line of Lynch Road; thence along said

Southern line of Lynch Road North 57°26' West Four hundred seventy-two (472) feet; thence South 47°10' West Eleven and 3/10 (11.3) feet to a point on the Southern line of San Pablo Creek Road (Section No. 4); thence along said Southern line of said Road North 61°56' West Thirteen hundred sixty-six and 3/10 (1366.3) feet to the point of beginning.

CONTAINING 46,868 acres (exclusive of roads).

(4) BEGINNING at the intersection of the Northerly line of San Pablo Creek Road, Section 4, with the Westerly line of Rancho El Sobrante, said point being distant 39.2 feet North 4°30' West from a granite stone, said stone being Station 10 of San Pablo Creek Road, Section 4, and in Easterly end of Road No.7, San Pablo Rancho; and running thence North 4°30' West 1.07 chains to the center of San Pablo Creek; thence running up the center of San Pablo Creek North 83° East 1.60 chains; thence North 79° East 3.70 chains; thence South 55° East 1.80 chains; thence South 61° East 1.90 chains; thence South 87° East 2.20 chains; thence South 15° East 2.20 chains; thence South 44° East 2.00 chains; thence North 62° East 1.20 chains; thence North 70° East 1.90 chains; thence South 29° East 2.00 chains; thence South 41° East 2.20 chains; thence South 58° East 4.00 chains; thence South 62° East 4.50 chains; thence South 44°51' East 2.78 chains to the Westerly line of San Pablo Creek Road, Section 3; thence leaving San Pablo Creek and following the said Westerly line of San Pablo Creek Road South 47°10' West 2.17 chains to a point on the Northerly line of San Pablo Creek Road, Section 4; thence along said Northerly line of San Pablo Creek Road, Section 4, North 62° West 28.82 chains to the point of beginning.

CONTAINING 9.84 acres.

II.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

All of Lot Forty-three (43), Rancho El Sobrante, 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, California, March 14, 1910.

III.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

All of Lot Forty-four (44), Rancho El Sobrante, 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, California, March 14, 1910.

IV.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

All of Lot Forty-five (45), Rancho El Sobrante, 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, California, March 14, 1910.

V.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

All of Lot Forty-six (46), Rancho El Sobrante, 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, California, March 14, 1910.

VI.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

All of Lot Forty-seven (47), of the Rancho El Sobrante, 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, California, March 14, 1910.

VII.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

All of Lot Forty-eight (48) of the Rancho El Sobrante, 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, California, March 14, 1910.

VIII.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

All of Lot Forty-nine (49) of the Rancho El Sobrante, 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, California, March 14, 1910.

IX.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

All of Lot Fifty (50) of the Rancho El Sobrante, 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, California, March 14, 1910.

X.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

All of Lot Fifty-two (52) of the Rancho El Sobrante, 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, California, March 14, 1910.

XI.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

In the Sobrante Rancho and within the tract partitioned to Victor Castro by a judgment of the Superior Court of the County of Contra Costa, State of California, being the interlocutory judgment in partition heretofore entered therein in the case of Edson Adams et al. vs. Emily B. Hopkins et al. in said Superior Court.

COMMENCING at a point on said premises and in the Sobrante Rancho formed by the intersection of the center line of San Pablo Creek with the Northerly line and fence extended of the Clancy Tract; running thence Northerly along the center of said Creek to a point formed by the intersection of the center line of said Creek with the first fence on the premises conveyed now standing Northerly of the point of beginning; running thence Easterly along said fence to the right of way of the California and Nevada Railroad on the West side thereof; thence Southerly along said right of way Six hundred and fifty-eight (658) feet or thereabouts to a point where the fence line of said Clancy Tract as extended would cross said right of way; thence Westerly along a straight line and along said Clancy line extended to the point of beginning.

BEING the same land conveyed by Deed executed by John Goldthwait and Annie Goldthwait, his wife, to A. Fields, dated August 20th, A. D. 1903 and recorded November 14th, A. D. 1903 in Book 101 of Deeds, at page 200, Records of Contra Costa County, State of California.

ALSO BEING the same land described in that certain deed dated February 4th, A. D. 1905, and recorded February 4th, A. D. 1905 in Vol. 109 of Deeds, page 466, Records of Contra Costa County, State of California.

XII.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

BEGINNING at a point on the Southwesterly boundary of the right of way of the California and Nevada Railroad in the San Pablo Creek

Valley, which point is Nine and 97/100 (9.97) chains, measured along the Southwesterly boundary of the right of way of the California and Nevada Railroad, Northwesterly from the intersection of the Northwestern boundary of the Clancy Tract, by said line of right of way of said California and Nevada Railroad, marked by a stake in the line of a wire fence running North 76° West to San Pablo Creek; and running thence along the Southwestern boundary of the right of way of the public road aforesaid North 2° East Six and 74/100 (6.74) chains; thence North 8-3/4° West Three and 12/100 (3.12) chains; thence North 28° West Ten (10) chains, North 24-1/2° West Nine and 46/100 (9.46) chains to the center of Castro Creek; thence down the center line of said Castro Creek South 47° West Four and 24/100 (4.24) chains to the center of San Pablo Creek; thence up the center of San Pablo Creek to its intersection by the line of the wire fence aforesaid; thence along the said wire fence South 76° East One and 76/100 (1.76) chains to the point of beginning.

CONTAINING Ten and 939/1000 (10.939) acres.

SUBJECT to a Deed made by Victor Castro to the California and Nevada Railroad Company of a right of way, dated November 12th, 1884, and recorded March 12th, 1885, in Volume 48 of Deeds, at page 243, Records of Contra Costa County, State of California.

XIII.

All that certain real property situate, lying and being in the City of Berkeley, County of Alameda, State of California, and more particularly described as follows, to-wit:

COMMENCING at a point on the Northeasterly line of Bay View Place, distant North 68°37' West Forty-three and 9/100 (43.09) feet from the Southeasterly corner of Lot No. Eight (8) in Block "E" as the same is delineated and so designated upon that certain map entitled "Hopkins Terrace No. 3, Berkeley, California," being a re-subdivision of "Hopkins Terrace and Kellersbergers Plot Nos. 84 and 85", which map was filed in the office of the County Recorder of Alameda County, October 10, 1904; and running thence North 59°47' West One hundred forty-three and 1/10 (143.1) feet; thence North 30°13' West Three (3) feet; thence South 59°47' West One hundred forty-five and 48/100 (145.48) feet; thence South 68°37' East Three and 83/100 (3.83) feet to the point of commencement.

XIV.

All that certain real property situate, lying and being in the City of Berkeley, County of Alameda, State of California, and more particularly described as follows, to-wit:

BEGINNING at a point in the South line of Plot Number Seventy-seven (77), as per Julius Kellersberger's Map of the Rancho of V. and D. Peralta, said point being in the center of a street called Russell Street, and at the Southwest corner of the land owned by one Palache, and running thence North 4°20' West along said Palache's West line Six hundred and sixty-four (664) feet to said Palache's Northwest corner, in the Southerly line of the land of Judge Garber; thence South 84°40' West along the South line of the land of said Judge Garber, and land of the Berkeley Homestead Tract, Five hundred thirty-eight and 32/100 (538.32) feet to a fence post, with a survey stake beside it; thence South 4°20' East Six hundred sixty and 60/100 (660.60) feet to a stake in the South line of said Plot Number 77 and in the center of said Russell Street; thence North 85° East along the center line of said Russell Street Five hundred thirty-eight and 32/100 (538.32) feet to the place of beginning.

CONTAINING Eight and 18/100 (8.18) acres, and being a portion of Plot Number 77 and a part of that certain portion known as the John Kelsey Estate, and being the same premises heretofore conveyed by Antoine Borel, by deed dated December 20th, 1880, and recorded December 22d, 1880, in the office of the County Recorder of Alameda County, in Liber 213 of Deeds, page 65, excepting a portion of the same described as follows:-

BEGINNING at a point on the Northerly line of said property distant thereon Two hundred thirty-nine and 59/100 (239.59) feet from the Northwest corner thereof and running thence South 5° East One hundred fifty-six (156) feet; thence North 85° East One hundred seventy (170) feet; thence North 5° West Eighty (80) feet; thence North 85° East One hundred two and 21/100 (102.21) feet; thence South 5° East One hundred twenty-seven and 36/100 (127.36) feet; thence South 25° West Forty (40) feet; thence South 5° East Fifty and 36/100 (50.36) feet; thence Easterly on a curve to the right with a radius of Three hundred forty-seven and 96/100 (347.96) feet a distance of Fifteen and 44/100 (15.44) feet; thence North 5° West Fifty (50) feet; thence North 85° East Twenty (20) feet; thence North 5° West Two hundred thirty-one and 45/100 (231.45) feet; thence South 85° 7' West Two hundred eighty-seven and 20/100 (287.20) feet to the point of beginning.

All that certain real property situate, lying and being in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

A portion of Lot Forty-three (43) of the San Pablo Rancho, in Township One (1) North, Range Five (5) West, Mount Diablo Meridian, described as follows:-

BEGINNING at a point on the exterior boundary of San Pablo Rancho between stakes marked S. P. 32 and S. P. 33, said point being North 31° 42' West, 86.85 feet distant from stake S. P. 33; thence continuing along said exterior boundary North 31° 42' West 56.45 feet; thence leaving said boundary South 60° 17' East, 49.6 feet; thence South 29° 43' West 27 feet to the point of beginning.

CONTAINING 670.5 square feet.