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ORIGINAL

Decision No. 8391

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
SOUTHERN CALIFORNIA GAS COMPANY to)
buy certain pipe lines in the City)
and County of Los Angeles, State of)
California; of CAROLINE W. DOBBINS)
to sell said pipe lines; of SOUTHERN)
CALIFORNIA GAS COMPANY to release)
and quitclaim certain property in)
the City and County of Los Angeles,)
State of California, and to lease)
said property; and for the approval)
by this Commission of a certain con-)
tract entered into between CAROLINE)
W. DOBBINS AND SOUTHERN CALIFORNIA)
GAS COMPANY.)

Application No. 6335.

BY THE COMMISSION:

O P I N I O N

On or about March 18, 1919, SOUTHERN CALIFORNIA GAS COMPANY acquired the properties of Economic Gas Company, pursuant to the authority granted in Decision No. 6162 dated March 12, 1919. It acquired these properties subject to pending litigation between the Economic Gas Company and Mrs. Caroline W. Dobbins et al.

The Economic Gas Company agreed to indemnify Southern California Gas Company in case the courts decided adversely to the Economic Gas Company and the properties lost through the litigation.

The properties subject to litigation consisted of the following:-

" All of lot sixteen (16), seventeen (17) and eighteen (18) in Block two (2), Pomeroy & Mills subdivision of the Hollenbeck Tract, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 5, page 199, Miscellaneous Records of said Los Angeles County.

Also that part of lot fifteen (15) in said block two, described as follows, to-wit:

Commencing at a point in the northerly line of St. John Street, at the most southerly corner of said lot fifteen (15); thence along the dividing line between lot fifteen (15) and sixteen (16) of said block two (2), north forty-six degrees (46) west thirty-eight and fifty hundredths (38.50) feet to a point; thence north thirty-four degrees (34) two minutes (2) east nine and sixty four hundredths (9.64) feet to a point; thence north twenty-nine degrees (29) forty-two minutes (42) east, fifty (50) feet to a point; thence north twenty-two degrees (22) eighteen minutes (18) east forty-four and twenty-eight hundredths (44.28) feet to a point in the westerly line of the tract conveyed to B. McCool, trustee, by deed recorded in Book 461, page 7, of Deeds, records of said Los Angeles County; thence along the westerly line of said tract conveyed to D. McCool, trustee, south three degrees (3) thirty-seven minutes (37) west one hundred and six and thirty-seven hundredths (106.57) feet to a point in the northerly line of St. John Street; thence along the northerly line of St. John Street south forty-four degrees (44) west, eighteen and three-tenths (18.3) feet to the place of commencement, together with the coke ovens, gas holder, machinery and improvements situated on said premises,

Also that certain six-inch main distributing pipe laid by said Caroline W. Dobbins and Thaddeus Lowe, or either of them, from the gas works on the property last above described, along Main Street to Albion Street; thence along Albion Street to Avenue Twenty-one; thence along Avenue Twenty-one to Pasadena Avenue; thence along Pasadena Avenue to the northern boundary of the City of Los Angeles as the same existed on the 28th day of February, 1903; thence along Marmion Way to the gas works formerly situated on Marmion Way in the Arroyo Seco, between the cities of Los Angeles and South Pasadena, in said County of Los Angeles."

Since the sale of the properties the litigation has been determined in favor of Mrs. Caroline W. Dobbins. The Southern California Gas Company has been indemnified to the amount of \$50,000. It has entered into an agreement with Caroline W. Dobbins, which agreement is attached to the petition herein and marked "Exhibit No. 1", wherein it is agreed that the above described real property shall be released, surrendered and quit-claimed by Southern California Gas Company.

IT is further agreed that Southern California Gas Company shall purchase the above described pipe line at a cost of \$25,000. On the above described real property are located coke ovens, gas-holders, machinery and improvements.

Southern California Gas Company is now engaged in making certain alterations and additions so that it can supply its consumers without using the ovens, gasholders, machinery and improvements mentioned.

O R D E R

SOUTHERN CALIFORNIA GAS COMPANY, having applied to the Railroad Commission for permission to purchase certain pipe lines and to release ^{and} quitclaim property described in the foregoing opinion, and for the approval of a contract entered into with Caroline W. Dobbins, and the Commission being of the opinion that this is not a matter in which a public hearing is necessary, and that applicant's request should be granted;

IT IS HEREBY ORDERED that Southern California Gas Company and Caroline W. Dobbins be, and they are hereby, authorized to enter into an agreement substantially in the same form as the agreement attached to the petition herein and marked "Exhibit No. 1."

IT IS HEREBY FURTHER ORDERED that Caroline W. Dobbins be, and she is hereby, authorized to sell to Southern California Gas Company for the sum of \$25,000. the pipe line described in Exhibit No. 1 attached to the petition herein and to lease to Southern California Gas Company the properties referred to in said Exhibit No. 1 for a term of not exceeding six months, as provided in said Exhibit No. 1;

IT IS HEREBY FURTHER ORDERED that Southern California Gas Company be, and it is hereby, authorized to release, surrender and quitclaim the property described in Exhibit No. 1 attached to the petition herein and to purchase from Caroline W. Dobbins the pipe line described in said Exhibit No. 1.

The authority herein granted is subject to the following conditions;-

1. SOUTHERN CALIFORNIA GAS COMPANY shall file with the Railroad Commission within 60 days after the execution of the instruments of conveyance, a verified copy of each and every such instrument.

2. The consideration received or paid for the properties herein authorized to be transferred shall not be urged before this Commission or any other public body as a measure of value of such properties for the purpose of fixing rates or for any purpose other than the transfer herein authorized.

3. The authority herein granted will apply only to such transfer as may be effected on or before June 1, 1921.

Dated at San Francisco, California, this 27th day of November, 1920.

Edwin O. Edgerton

H. H. Howard

Frank D. Wain

H. B. Bowditch

Irving Martin
Commissioners