

ES

Decision No. 9138.

BEFORE THE RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA.

In the Matter of the Application of)
IMPERIAL LAND COMPANY,)
a corporation, and W.A. HENSLEY,)
for an order authorizing IMPERIAL) Application No. 6931.
LAND COMPANY to sell and transfer)
certain property to W.A. HENSLEY .)

BY THE COMMISSION:

O R D E R

IMPERIAL LAND COMPANY having applied to the Railroad Commission for permission to sell a water plant and certain properties described in Exhibit "1" attached hereto to W.A. HENSLEY, said water plant being used to supply 55 to 60 consumers with domestic water in the townsite of Heber, Imperial County, and consisting in general of pumping equipment, settling basin, tank for obtaining pressure and pipe lines to various consumers; and W.A. HENSLEY having joined in the application and it appearing that W.A. HENSLEY can operate the water plant without any inconvenience to the inhabitants of the townsite of Heber;

AND the Commission being of the opinion that this is not a matter on which a hearing is necessary and that applicant's request should be granted as herein provided;

IT IS HEREBY ORDERED:

A.--THAT, Imperial Land Company may sell to W.A. Hensley and W.A. Hensley may purchase the public utility and other properties described in Exhibit "1" attached hereto and made a part hereof;

B.--THAT, W.A. Hensley shall file with the Commission within ten days after taking possession of the water plant, the exact date on which he took possession of and began to operate the water plant;

C.--THAT, upon the transfer of the properties to W.A. Hensley and the undertaking by W.A. Hensley of the service of water to the residents of the townsite of Eeber, Imperial Land Company will be relieved from any further responsibility in furnishing water to said residents.

D.--THAT, the consideration being paid by W.A. Hensley will not by this Commission be regarded as a measure of value of the properties for rate-fixing or any purpose other than the transfer herein authorized.

E.--THAT, within thirty days after its execution, W.A. Hensley shall file with the Commission a certified copy of the deed under which he secures and holds title to the properties he is herein authorized to acquire.

F.--THAT, within ten days after taking possession of the properties, herein authorized to be transferred, W.A. Hensley shall file the rates charged for water sold.

G.--THAT, the transfer of the properties to W.A. Hensley must be made on or before December 1, 1921.

DATED at San Francisco, California, this 24th day of June, 1921.

W.A. Hensley

W.A. Hensley

W.A. Hensley

COMMISSIONERS

169

EXHIBIT "1"

THE PROPERTIES WHICH IMPERIAL LAND COMPANY is authorized to sell and W.A. HENSLEY to purchase under the authority granted in the order preceding this Exhibit consists of the follows:-

PARCEL ONE: Lots Four (4), Five (5) and Six (6), in Block One Hundred Eight (108); Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Nine (9), Ten (10), Eleven (11) and Twelve (12) Block Eighty-three (83); Lots One (1), Ten (10), Eleven (11) and Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), in Block eighty-five (85), all of the Amended Plat of the Townsite of Heber as per the Official Map thereof No. 1021, on file in the office of the County Recorder of San Diego County, California.

PARCEL TWO: All that portion of Block B-one (B-1) of the Amended Map No. 2, of the Townsite of Heber #226, on file in the office of the County Recorder of said Imperial County, described as follows: BEGINNING at a point in the North line of said Block B-1, which point is the Southwest corner of Lot Thirteen (13), Block Eighty-three (83) of the Amended Plat of the Townsite of Heber as per Map thereof No. 1021, on file in the office of the County Recorder of San Diego County, California; thence East along said North line 300 feet to a point; thence South and parallel with the west line of said Block B-1, 150 feet to a point; thence West and parallel with the North line of said Block B-1, 300 feet to a point; thence North 150 feet to the point of beginning.

PARCEL THREE: All rights, privileges and franchises to use all of the streets and alleys of the Townsite of Heber for the purpose of maintaining ditches and water pipe lines for domestic water system and any right, privilege or franchise of any nature whatsoever in so far as the same relates to water rights or water system as reserved by Imperial Valley Improvement Company on the Amended Plat of the Townsite of Heber as per Map thereof No. 1021, on file in the office of the County Recorder of San Diego County. The grantors herein having heretofore succeeded to the rights above conveyed.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

ALSO the water plant, consisting of pumping equipment, settling basin, tank for obtaining pressure, pipe lines to the various consumers and the tools and equipment and other properties referred to in the application.