

Decision No. 27799

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of The Farmers and Merchants
National Bank of Santa Cruz and
Porter E. Vandewark and Geneva
Vandewark for an order authorizing
the sale of a water system near
"Seacliff Park" near Aptos, in the
County of Santa Cruz, State of
California, by The Farmers and
Merchants National Bank of Santa
Cruz to Porter E. Vandewark and
Geneva Vandewark.

Application No. 19781.

BY THE COMMISSION:

O R D E R

The Farmers and Merchants National Bank of Santa Cruz, owner of a water system serving water for domestic purposes in the subdivision known as "Seacliff Park," near Aptos, Santa Cruz County, having made application to this Commission for authority to sell and transfer said water system to Porter E. Vandewark and Geneva Vandewark, who join in the application, and it appearing that this is not a matter in which a public hearing is necessary and that the application should be granted, now, therefore,

IT IS HEREBY ORDERED that The Farmers and Merchants National Bank of Santa Cruz be and it is hereby authorized to sell and transfer to Porter E. Vandewark and Geneva Vandewark that certain water system and the properties appurtenant thereto used for supplying water for domestic purposes to residents in the Seacliff Park Subdivision, Santa Cruz County, as described in the copies of the proposed deed of sale and the bill of sale

marked Exhibits "C" and "D," respectively, attached to the application herein and made a part hereof by reference, subject to the following conditions:

1. The authority herein granted shall apply only to such transfer as shall have been made on or before the first day of April, 1935, and a certified copy of the final instrument or instruments of conveyance shall be filed with this Commission by The Farmers and Merchants National Bank of Santa Cruz within thirty (30) days from the date on which said instrument or instruments are executed.
2. The consideration for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value for rate-fixing or for any purpose other than the transfer herein authorized.
3. Within ten (10) days from the date on which The Farmers and Merchants National Bank of Santa Cruz actually relinquishes control and possession of the property herein authorized to be transferred, said The Farmers and Merchants National Bank of Santa Cruz shall file with this Commission a certified statement indicating the date upon which such control and possession were relinquished.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this ¹²4 day of March, 1935.

James A. [Signature]
M. A. [Signature]
M. B. [Signature]
[Signature]
Commissioners.

California Railroad Commission to grant the relief sought by

the said City of Oakland,

The California Railroad Commission concludes that it has jurisdiction to pass upon the merits of the complaint filed herein; and upon a proper showing to grant the relief sought herein, subject to the order of the Interstate Commerce Commission authorities; and the same, first upon the grounds that such relief is in the interest of public convenience and necessity and secondly upon the grounds that the expense involved in affording such relief will not impair the ability of the carrier to perform its duty to the public.

IT IS HEREBY ORDERED that the issues presented herein

be set for hearing in the City Hall at Oakland, California, on

the 3rd day of May, 1932, at 10 A.M. before Commissioner

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 15th day of May, 1932.

Frank C. Sullivan
Commissioner
W. B. ...
...
...

Commissioners.

CORRECTION

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

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