

LEM

Decision No. 29161

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
FRANK TURK, VIOLET S. TURK to sell)
and FORD L. HOWLAND, MAYME J. HOW-)
LAND and W. LA VERNE HOWLAND to pur-)
chase water utility.)

Application No. 20764

BY THE COMMISSION:

OPINION

ORIGINAL

In this application Frank Turk, owner of a public utility water system being operated under the name of Valley Water System, asks permission to sell the same to Ford L. Howland, Mayme J. Howland and W. La Verne Howland for the sum of \$8,500.00 payable as hereafter indicated.

The properties which Frank Turk desires permission to sell are situate in Los Angeles County and are more particularly described as follows, to-wit:

Lot A of the Gidley-Pierson Tract, in the County of Los Angeles, State of California, as per map recorded in Book 21, Page 64 of Maps in the office of the County Recorder of said County, and

The westerly twenty-five feet (25) of that portion of Lot One (1) of said Tract lying northerly of the easterly prolongation of the southerly line of said Lot "A", together with all meters, services, wells, buildings, pumps, tanks, pipe, pipe lines, and rights-of-way used in connection with the development, maintenance, operation, sale and disposal of water from said premises.

Frank Turk in his 1935 annual report shows operating revenues from the aforesaid water system, of \$1,835.01, while his expenses are reported at \$1,726.86. The expenses include \$993.83 for depreciation. His report shows that he serves 48 consumers under metered rates and two under flat rates.

The agreement of sale provides that the consideration, namely \$8,500.00, shall be payable as follows:- \$1.00 upon the execution of the agreement of sale, and \$175.00 or more each and every calendar month thereafter beginning on June 18, 1936 and continuing on the

18th day of each month thereafter until the entire purchase price has been paid, together with interest at the rate of 7% per annum payable monthly on the deferred payments. The agreement further provides that as soon as the purchasers have paid \$2,375.00 of the purchase price they shall have the option to demand and receive a grant deed from the seller subject to a deed of trust in the amount of the unpaid balance. The amount secured by the deed of trust shall be payable at the rate of \$175.00 per month with interest at the rate of 7% per annum on the unpaid principal.

ORDER

The Commission has considered the request of applicants in this proceeding and is of the opinion that this is not a matter in which a public hearing is necessary, and that this application should be granted as herein provided, therefore,

IT IS HEREBY ORDERED that Frank Turk, Violet S. Turk, his wife, Ford L. Howland, Mayme J. Howland, his wife, and W. La Verne Howland be, and they are hereby, authorized to execute an agreement similar in its terms to the agreement filed in this proceeding as Exhibit A for the purpose of transferring the water system described in such agreement from Frank Turk and Violet S. Turk, his wife, to Ford L. Howland and Mayme J. Howland, his wife, and W. La Verne Howland as joint tenants with right of survivorship.

IT IS HEREBY FURTHER ORDERED that within thirty(30) days after the execution of the aforesaid agreement, Ford L. Howland shall file with the Railroad Commission a statement showing the exact date upon which said Ford L. Howland, Mayme J. Howland and W. La Verne Howland took possession of and commenced the operation of the aforesaid properties, together with a certified copy of the agreement of sale and purchase herein authorized to be executed.

IT IS HEREBY FURTHER ORDERED that upon the execution of the aforesaid agreement and the assumption of the liability to return consumers' deposits by said Ford L. Howland, Mayme J. Howland and W. La Verne Howland, said Frank Turk and Violet S. Turk are relieved from the obligation of operating the said public utility water system.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective when applicants have paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is Twenty-five (\$25.00) Dollars.

DATED at San Francisco, California, this 5th day of October, 1936.

M. B. Lewis
Leon C. Whittell
M. A. Linn
W. La Verne Howland
Frank Turk
Violet S. Turk
Commissioners.

