

Decision No. 31398

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of
SANTA MARIA VALLEY RAILROAD COMPANY,
a corporation, and CYRIL WIGMORE,
for an order authorizing a lease. }

Application No. 22304

BY THE COMMISSION:

OPINION AND ORDER

Santa Maria Valley Railroad Company, hereinafter sometimes referred to as the Company, asks permission to execute an agreement of lease, similar in form to the lease filed in this proceeding as Exhibit C.

The Company is engaged in the operation of a railroad line for the transportation of freight only, between Guadalupe, Betteravia and Rodamite, Santa Barbara County, California, a total distance of about 18 miles. For 1937 the Company reports railway operating revenues of \$133,971.00.

The Company proposes to lease to Cyril Wigmore for the purpose of drilling for and developing oil, gas and other hydrocarbon substances the parcels of land described in Exhibit A attached hereto. The proposed lease provides that the rights and privileges granted said Cyril Wigmore are and at all times shall be subject to, and subordinate to, the Company's possession, use or operation of its railroad or right of way, or any part thereof.

The Commission has considered the Company's request and is of the opinion that this is not a matter on which a hearing is necessary and that the application should be granted, therefore,

IT IS HEREBY ORDERED that Santa Maria Valley Railroad Company be, and it is hereby, authorized to execute on or before December 31, 1938, an agreement of lease, similar in form to the agreement of lease filed in this proceeding as Exhibit C.

DATED at San Francisco, California, this 31st day of October, 1938.

Raymond P. ...
Leon ...
Frank ...
Mark & Riley

Commissioners.

EXHIBIT A

DESCRIPTION OF PROPERTY

The properties which Santa Maria Valley Railroad Company is authorized to lease, subject to the terms and conditions of the aforesaid lease are as follows:-

PARCEL NO. 1

That certain lot, piece or parcel of land situate, lying and being in the County of Santa Barbara, State of California, and bounded and particularly described as follows, to-wit:

Beginning on the center line of the Santa Maria Valley Railroad at Station L 139 + 15.7 being a point on the West line of the land of Joe Simas in the Punta de la Laguna Rancho, said point being Twenty-five (25) feet South of the Northwest corner of the lands of said Simas, according to his deed of W.E.Dargie and Erminia P. Dargie, dated September 10, 1910, and recorded October 17, 1910, in Book 130 of Deeds, page 17, Santa Barbara County Records, to which reference is hereby made for the location of said point and the description of the lands of grantor. Thence by the center line of said Railroad South $89^{\circ} 19\frac{1}{2}'$ East Six Hundred Sixty-nine and $\frac{6}{10}$ (669.6) feet; thence by a 1° curve to right Five Hundred Thirty-three and $\frac{3}{10}$ (533.3) feet; thence South $83^{\circ} 59\frac{1}{2}'$ East Seven Hundred Thirty and $\frac{9}{10}$ (730.9) feet; thence by a 1° curve to left Four Hundred Twenty and $\frac{4}{10}$ (420.4) feet more or less, to the East line of the land of the grantor; the right-of-way herein granted being a piece or parcel of land Fifty (50) feet wide and Two Thousand Three Hundred Fifty-four and $\frac{2}{10}$ (2354.2) feet long, the sides of which are parallel to and 25 feet from the center line of the Railroad hereinabove described and containing Two and $\frac{7}{10}$ (2.7) acres.

PARCEL NO. 2

That certain lot, piece or parcel of land situate, lying and being in the County of Santa Barbara, State of California, and bounded, and particularly described as follows, to-wit:

Beginning at a point on the Northern boundary of the Right-of-way heretofore granted to the Santa Maria Valley Railroad through the lands of the grantor (Joe Simas), as per deed dated August 30, 1911, said point being Twenty-five (25) feet Northerly at right angles from Station L 151 of the center line of the Santa Maria Valley Railroad; thence East along said Right-of-Way a distance of Five Hundred (500) feet; thence North Thirty (30) feet; thence Westerly parallel with said Right-of-Way Five Hundred (500) feet; thence South Thirty (30) feet, said additional right-of-way being a parcel of land Thirty (30) feet wide

and Five Hundred (500) feet long and containing 34/100 acres.

PARCEL NO. 3

That certain lot, piece or parcel of land situate, lying and being in the County of Santa Barbara, State of California, and bounded and particularly described as follows, to-wit:

Commencing at a point being the southwest corner of the lands of the grantor in the punta de la Laguna Rancho, as described in that certain deed dated September 10, 1910, and recorded October 17, 1910, in Book 130 of Deeds, page 19, Santa Barbara County Records. To the description in said deed reference is hereby made for the location of said point; thence East Two Thousand Four Hundred and Seventy-five (2475) feet to the East line of land of grantor; thence North Fifty (50) feet; thence West Two Thousand Four Hundred and Seventy-five (2475) feet to the West line of land of grantor; thence South Fifty (50) feet to the point of commencement, and containing 2.84 acres.

PARCEL NO. 4

That certain lot, piece or parcel of land, situate, lying and being in the County of Santa Barbara, State of California, and bounded and particularly described as follows, to-wit:

Through Lot 5 of Dargie Subdivision of the Punta de la Laguna Rancho. Beginning at Sta. L 187-47.6 being a point of the center line of the Santa Maria Valley Railroad 25 feet North of the Southeast corner of the land of Frank G. Cordoza; thence S. 89 deg. 12½ min. E. 52.4 feet to B.C. of Taper 1 for a 2 curve to left; thence by said curve 890 feet; thence N. 74 deg. 47½ min. E. 2128 feet to the East line of Punta de la Laguna Rancho in Santa Barbara County. The strip herein granted being a piece or parcel of land 50 feet wide and 3070.4 feet long the sides of which are parallel to and 25 feet from the center line of railroad hereinabove described and containing 3.52 acres.

PARCEL NO. 5

That certain lot, piece or parcel of land, situate, lying and being in the County of Santa Barbara, State of California, and bounded and particularly described as follows, to-wit:

Beginning at a point on the West line of the fractional East half of the Northwest quarter of Section Twenty-one, Township Ten North, Range Thirty-four West, S.B.M., where it intersects the center line of the "Santa Maria Valley Railroad", said point being about Eight Hundred and Sixty(860) feet South of the North line of said Section and being Station L 218 + 18 of said Railroad survey; thence by said center line north $74^{\circ} 47\frac{1}{2}'$ East Seventy-two and $6/10(72.6)$ feet to B.C. of Taper 2 for a 4° curve to left; thence by curve One Hundred Fifty-five and $1/10(155.1)$ feet to the West line of the Northeast quarter of Section Twenty-one, Township Ten North, Range Thirty-four West, S.B.M. The right-of-way herein granted being a piece or parcel of land Fifty(50) feet wide and Two Hundred Twenty-seven and $7/10(227.7)$ feet long, the sides of which are parallel to and twenty-five(25) feet from the center line of Railroad hereinabove described and containing $26/100$ of an acre.

PARCEL NO. 6

That certain lot, piece or parcel of land, situate, lying and being in the County of Santa Barbara, State of California, and bounded and particularly described as follows, to-wit:

Beginning at Station 233- 00 of the center line of the Santa Maria Valley Railroad being the point where the said center line intersects the south line of Section Sixteen, Township Ten North, Range Thirty-four West S.B.M. Twenty-eight and $2/10(28.2)$ feet East of the Southwest corner of the lands of grantors; said point being One Thousand Eight Hundred Eighty-two and $5/10(1882.5)$ feet east of the southwest corner of Section Sixteen, Township Ten North, Range Thirty-four West S.B.M.; from thence North $22^{\circ} 44\frac{1}{2}'$ East One Thousand Eight Hundred and Fifty-six (1856) feet to B.C. of Taper 2 for a 4° curve to right; Thence by curve One Thousand Five Hundred Seventy-one and $3/10(1571.3)$ feet to a point on the east line of said Section Sixteen, Township Ten North, Range Thirty-four West S.B.M. The right-of-way herein granted being a strip or parcel of land Fifty(50) feet wide and Three Thousand Four Hundred Twenty-seven and $3/10(3427.3)$ feet long, the sides of which are parallel to and twenty-five(25) feet from the center line of railroad hereinabove described and containing Three and $80/100(3.80)$ acres.