

Decision No. 32285

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)

of)

PORTER E. VANDEWARK and)
GENEVA VANDEWARK, his wife,)
W. B. VANDEWARK and)
DORA A. VANDEWARK, his wife,)

For Authorization to Transfer)
all Real and Personal Property)
of Seacliff Water Works.)

ORIGINAL

Application No. 22908

BY THE COMMISSION:

OPINION AND ORDER

This is an application for an order authorizing Porter E. Vandewark and Geneva Vandewark to transfer real and personal property used in the operation of the Seacliff Water Works, to W. B. Vandewark and Dora A. Vandewark.

The properties comprising the system known as the Seacliff Water Works, located near Aptos, Santa Cruz County, were transferred to Porter E. Vandewark and Geneva Vandewark in 1935 by The Farmers and Merchants National Bank of Santa Cruz, pursuant to authority granted by Decision No. 27799, dated March 4, 1935, in Application No. 19761. The cost to the present owner is stated at \$10,000.

It is reported that the purchase price for the water system was furnished by W. B. Vandewark, the father of Porter E. Vandewark, but that for convenience of the parties, title to the property was taken in the name of Porter E. Vandewark and Geneva Vandewark, his wife, but that W. B. Vandewark and Dora A. Vandewark, his wife, at all times were the equitable owners of the property.

It now is proposed by the parties to vest the legal title to the properties comprising the water system in W. B. Vandewark and Dora A. Vandewark, his wife, as joint tenants and to that end this

application has been made. It is reported that since 1935 the business of the Seacliff Water Works has been managed and conducted by W. B. Vandewark and that the transfer of title, as now proposed, will result in no change in the management or method of transacting business.

The Commission has considered this matter and is of the opinion that a public hearing is not necessary and that the request of applicants should be granted, therefore,

IT IS HEREBY ORDERED, that Porter Vandewark and Geneva Vandewark, his wife, be, and they hereby are authorized to transfer to W. B. Vandewark and Dora A. Vandewark, his wife, as joint tenants, on or before September 30, 1939, the real and personal property comprising the water system of the Seacliff Water Works referred to and described in this application.

The authority herein granted is subject to the following conditions:

1. W. B. Vandewark shall file with the Commission on or before October 31, 1939, a certified copy of deed or deeds, of conveyance under which he acquired title to the properties herein authorized to be transferred and a statement showing the exact date upon which he acquired and commenced to operate such properties in his own name.
2. The authority herein granted shall become effective upon the date hereof.

DATED at San Francisco, California, this 20th day of August, 1939.

Robert A. Brown
James C. Brown

Justus J. Brown
COMMISSIONERS