

Decision No. 34717

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
William Dobry, O. Norlander and
George Rendell,

Complainants,

-vs-

Riverside Mortgage Securities
Company, a corporation, and Irvine W.
Biggar,

Defendants.

ORIGINAL

Case No. 4539

C. L. McFarland, by Mary C. McFarland,
for Complainants.

Best and Best, by Eugene Best,
for Riverside Mortgage Securities Company.

CRAEMER, COMMISSIONER:

O P I N I O N

In this proceeding, complainants William Dobry, O. Norlander and George Rendell ask the Commission to investigate the rights and duties of Irvine W. Biggar and Riverside Mortgage Securities Company in connection with the operation of a well, pumping plant, reservoir and distribution system serving water to consumers in Biggar's Crestmore Heights Subdivisions No. 1 and No. 2, located about four miles north of the City of Riverside, in Riverside County.

A public hearing in this matter was held at Riverside.

Riverside Mortgage Securities Company, a Delaware corporation, was organized solely for the purpose of taking over and

liquidating the assets of the Riverside Mortgage Company, an insolvent corporation. Irvine W. Biggar, one of the parties defendant herein, was neither present nor represented at the hearing held in this proceeding.

It appears from the pleadings in this matter that Irvine W. Biggar in 1926 installed a water system to promote the sale of lots in Crestmore Heights Subdivisions Nos. 1 and 2 which he had developed and placed upon the market. Crestmore Heights Mutual Water Company was organized to operate this water system and render service. However, the water properties, among other things, were acquired by Riverside Mortgage Securities Company as a result of foreclosure proceedings brought by it against said Irvine W. Biggar. In accordance with the terms and provisions of a stipulation entered into at the hearing held in this matter, said company has conveyed by deed to complainants, William Dobry, O. Norlander and George Rendell the entire water properties involved herein. These properties have been accepted, grantees have taken possession thereof and are now organizing a mutual water company to own and operate the water system.

Under these circumstances, the complaint may now be considered satisfied and the proceedings therefore should be dismissed.

The following form of Order is recommended:

O R D E R

Complaint as entitled above having been filed with the Railroad Commission, a public hearing having been held thereon, the matter having been duly submitted and the Commission being now fully advised in the premises,

IT IS HEREBY ORDERED that the proceeding above entitled
be and it is hereby dismissed.

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 Los Angeles, California, this 28th
day of October, 1941.

[Signature]
[Signature]
Justus F. Coe
Francis D. Havenner
[Signature]
Commissioners.