

Decision No. 36070

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CALIFORNIA-PACIFIC UTILITIES COMPANY,
For an Order Authorizing Conveyance of
Property to United States of America.

Application
No. 25430

ORIGINAL

BY THE COMMISSION:

OPINION AND ORDER

California-Pacific Utilities Company asks permission to sell to the United States of America 2.24 acres of land situate within the Benicia Arsenal area. There is now located on the tract of land a pumping plant, filtration plant, and appurtenances. The United States Government wants the pumping plant and the filtration plant moved off the land. It has agreed to pay applicant the sum of \$7,457 as a consideration for the land and to reimburse applicant, in part, for the cost of relocating its pumping plant and filtration plant. The company is now engaged in relocating said facilities on land it now owns. It is of record that upon the relocation of said plant, applicant will be in a position to render improved service to the public.

The United States of America proposes to acquire

the land through a condemnation proceeding. Upon the deposit of the \$7,457 in court pursuant to a declaration of taking, applicant will file with the court a stipulation agreeing to accept said \$7,457 as settlement in full of all claims of any nature which applicant might have against the United States of America by reason of the removal of said facilities, and the acquisition by the United States of America of said 2.24 acres of land. A copy of the agreement of sale is on file in this proceeding as Exhibit "A."

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

IT IS HEREBY ORDERED that California-Pacific Utilities Company be, and it is hereby, authorized to sell to the United States of America, on or before March 1, 1943, the 2.24 acres of land referred to in this application, said sale to be made pursuant to the terms and conditions of the agreement filed in this proceeding as Exhibit "A."

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective upon the date hereof.

Dated at San Francisco, California, this 29th day of December, 1942.

Justin J. Cialuini
Paul J. Cialuini
W. H. Baker
Frank D. Havens
Richard L. Baker
 Commissioners.