

Decision No. 37342

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of the BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION, A NATIONAL BANKING ASSOCIATION, Executor of the Last Will and Testament of ALNEY J. NOURSE, also known as ALNEY JAMESON NOURSE, Deceased, pending in the Superior Court of the State of California, in and for the County of San Joaquin, for an order of said Commission authorizing the transfer and approval of the contemplated contract of sale and purchase by the RIPON COUNTY WATER DISTRICT of all of the real and personal property of the deceased generally known, conducted and carried on by the name of the RIPON WATER WORKS.

Application
No. 26325

BY THE COMMISSION:

O P I N I O N

The Bank of America National Trust and Savings Association, Executor of the last will and testament of Alney J. Nourse, also known as Alney Jameson Nourse, deceased, asks permission to sell and transfer the properties known as the Ripon Water Works to the Ripon County Water District.

The Ripon Water Works properties are owned by the

Estate of Alney J. Nourse. As of December 31, 1943, there were 318 service connections on this water system. For 1943, the operating revenues of the water system are reported at \$6,378.02 and for 1942 at \$6,214.87.

The Ripon County Water District has recently been organized for the purpose of acquiring and operating the Ripon Water Works properties. It has agreed to pay for the properties \$32,500. An inventory of the properties is on file in this application. The properties consist of several parcels of real estate, two wells, a 16,000-gallon tank on a 50-foot steel tower, about 45,592 feet of distribution pipe of different kinds and of varying diameters, 318 services, 145 meters installed, and materials and supplies.

The heirs and beneficiaries under the will of Alney J. Nourse desire to sell the water works properties for the purpose of paying the expenses of the administration of the estate, and further for the reason that they desire to be relieved of the obligation of operating the properties as a public utility.

The action taken herein shall not be construed to be a finding of value for any purpose other than the proceeding herein involved.

O R D E R

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 Bank of America National Trust and Savings Association, Executor of the last will and testament of Alney J. Nourse, also known as Alney Jameson Nourse, deceased, be, and it is hereby, authorized to sell and transfer the Ripon Water Works properties, more particularly described in this application to the Ripon County Water District for the sum of \$32,500.

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

IT IS HEREBY FURTHER ORDERED that Bank of America National Trust and Savings Association, Executor of the last will and testament of Alney J. Nourse, also known as Alney Jameson Nourse, deceased, shall within thirty (30) days after the sale and transfer of said properties, file with the Railroad Commission a statement showing the date on which said properties were sold and transferred.

Dated at San Francisco, California, this 26th day
of September, 1944.

Justus J. Casner
Francis L. Havens
Francis C. ...
Irving H. ...
Commissioners.