

Decision No. 50182

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Petition of the CITY OF NORTH SACRAMENTO to have fixed the just compensation to be paid for the municipal water system of CITIZENS UTILITIES COMPANY OF CALIFORNIA existing within and adjacent to the boundaries of said city.

Application No. 38629

ORDER AUTHORIZING AMENDMENTS
OF PETITION

On January 17, 1958, petitioner filed an application for leave to amend the petition in the above-entitled proceeding, and on January 24, 1958, petitioner filed a second application for leave to amend said petition. The Commission having considered said applications, and good cause appearing, IT IS ORDERED that the City of North Sacramento be and it is hereby authorized to amend Application No. 38629, and said petition is hereby amended in the manner and to the extent specified and requested in the applications hereinabove described, certified copies of which are attached hereto and made a part hereof.

Dated at San Francisco, California, this 28th day of January, 1958.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners

COPY

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FILED
PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

JAN 17 1958

SAN FRANCISCO OFFICE
Application No. 38629
NO. _____

In the Matter of the Petition of the CITY OF NORTH SACRAMENTO to have fixed the just compensation to be paid for the municipal water system of CITIZENS UTILITIES COMPANY OF CALIFORNIA existing within and adjacent to the boundaries of said city.

APPLICATION FOR LEAVE TO AMEND PETITION

The petition of the CITY OF NORTH SACRAMENTO respectfully shows:

I.

Pursuant to Section 1410 of the Public Utilities Code of the State of California, petitioner requests that the Commission authorize petitioner to amend its petition filed herein on December 3, 1956, as follows:

1. Paragraph IX of said petition is to be amended as follows:

(i) In the legal description following the fourth line of subdivision (a) of said paragraph IX, after "described as follows", strike out the first word in the third line of such legal description, which is "southerly" and insert in lieu thereof "northerly."

(ii) In the third line of said subdivision (a) following the said legal description, after the first word "meters" insert "and meter housings."

(iii) Between subdivisions (a) and (b) of said paragraph IX, insert the following:

"(a-1) Those three water pipe lines, and service connections, meters and meter housings physically connected thereto, which are physically connected to water pipe lines described in subdivision (a) hereof, but which extend

outside the area described in said subdivision (a) hereof, in the following locations, as shown in Map 1 of Exhibit "B" hereof:

- (1) lying along Grand Avenue east of said area;
- (2) lying along Roanoke Avenue east of said area;
- (3) crossing the Sacramento-Roseville freeway (U. S. Highway 40) and extending along said freeway near the southwest corner of said area."

2. Appendix "C" of said petition is to be amended

by adding thereto the following:

Item 19

All that real property in the County of Sacramento, State of California, described as follows:

All that portion of Lot 3, in Block 6, as said lot and block are shown and so designated on the official "Plat of North Sacramento Subdivision No. 8", filed for record in the office of the Recorder of said Sacramento County on March 26, 1913, in Book 13 of Maps, Map No. 49, described as follows:

Beginning at the most Westerly corner of said Lot 3, said corner being in the South line of Plaza Avenue, as shown on said plat; thence, from said point of beginning, along the North line of said Lot 3, and the South line of said Plaza Avenue, South $89^{\circ} 55'$ East 30.00 feet; thence, leaving said last named line, South $0^{\circ} 05'$ West 30.00 feet to a point in the Southwesterly line of said Lot 3; thence, along said Southwesterly line North $44^{\circ} 55'$ West 42.43 feet to the point of beginning.

Item 20

All that real property in the County of Sacramento, State of California, described as follows:

The East 20 feet of Lot 1, Block 2, as shown on the "Plat of Del Paso Heights", recorded February 7, 1911, in Book 12 of Maps, Map No. 1, records of said County.

WHEREFORE, petitioner prays that the Public Utilities Commission of the State of California authorize petitioner to amend its petition herein as above described.

Dated at North Sacramento this 7th day of January, 1958.

City of North Sacramento, petitioner

By /s/ Walter W. Powers
Mayor

/s/ Raymond McClure
Raymond McClure
City Attorney for the
City of North Sacramento

/s/ McDonough & Wahrhaftig
McDonough and Wahrhaftig
Attorneys for petitioner

Certificate of a True Copy

Nail Coleman

ASSISTANT SECRETARY
PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

1/24/58.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

WALTER W. POWERS, being first duly sworn, deposes and says:

That he is an officer of the petitioner, the CITY OF NORTH SACRAMENTO, to wit, its mayor, and that he verifies the foregoing application for leave to amend petition on behalf of said petitioner; that he has read said application and knows the contents thereof; that the same is true of his own knowledge except as to matters which are herein stated upon his information, and as to those matters he believes it to be true.

 /s/ Walter W. Powers
Walter W. Powers
Mayor of the City of North Sacramento

Subscribed and sworn to before me this
7th day of January, 1958.

 (SEAL) Wilma C. Briggs
Notary Public in and for said
County and State.

COPY

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PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

JAN 24 1958

SAN FRANCISCO OFFICE

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the CITY OF NORTH SACRAMENTO to
have fixed the just compensation
to be paid for the municipal water
system of CITIZENS UTILITIES COMPANY
OF CALIFORNIA existing within and
adjacent to the boundaries of said
city.

SECOND APPLICATION FOR LEAVE TO AMEND PETITION

The petition of the CITY OF NORTH SACRAMENTO
respectfully shows:

Pursuant to Section 1410 of the Public Utilities
Code of the State of California, petitioner requests that
the Commission authorize petitioner to amend its petition
filed herein on December 3, 1956, as follows:

1. Appendix "C" of said petition is to be
amended by amending Item 1 thereof to read as follows:

"Item 1.

All that real property in the City of North
Sacramento, County of Sacramento, State of California,
described as follows:

Lots 1, 2 and 3, Block 17 of North Sacramento
Subdivision No. 1, according to the official plat thereof,
filed in the office of the Recorder of Sacramento County,
California, on December 15, 1910, in Book 11 of Maps,
Map No. 26."

2. Appendix "C" of said petition is to be further
amended by adding thereto the following:

"Item 21.

All that certain real property in the County
of Sacramento, State of California, described as follows:

The South 25.00 feet of the West 50.00 feet
of the North 91.00 feet of the South 151.00 feet of Lot
2 in Block 2, as shown on the "Plat of Subdivision No. 6,
North Sacramento", recorded August 8, 1912, in Book 13
of Maps, Map No. 31, records of said County.

Also a right-of-way and easement for the purpose
of installing and maintaining a water pipe line on, over,
under and across the South 12' of the North 91' of South
151' of said Lot 2 in said Block 2."

WHEREFORE, petitioner prays that the Public Utilities Commission of the State of California authorize petitioner to amend its petition herein as above described.

Dated at North Sacramento this 20th day of January, 1958.

CITY OF NORTH SACRAMENTO, petitioner

By /s/ Walter W. Powers
Walter W. Powers, Mayor

/s/ Raymond McClure
Raymond McClure
City Attorney for the
City of North Sacramento

/s/ McDonough & Wahrhaftig
McDonough and Wahrhaftig
Attorneys for petitioner

Certified to True Copy

Noel Coleman

ASSISTANT SECRETARY
PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

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own knowledge except as to matters which are herein stated
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it to be true.

/s/ Walter W. Powers

Walter W. Powers
Mayor of the City of North Sacramento

Subscribed and sworn to before me this
20th day of January, 1958.

(SEAL) Wilma C. Briggs

Notary Public in and for said
County and State.