

**ORIGINAL**Decision No. 72936

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of Western California Telephone )  
Company for an Order Authorizing )  
it to Convey Certain of its )  
Properties located in Novato to )  
the City of Novato. )

Application No. 49500  
(Filed June 27, 1967)

OPINION AND ORDER

Western California Telephone Company (Western) requests authority to sell and convey to the City of Novato (City) certain of its real property located in Novato, County of Marin, in accordance with an agreement to be executed by both parties. A copy of the proposed agreement is attached to the application as Exhibit B. A legal description of the property to be conveyed is attached to the application as Exhibit C.

The City has requested that Western sell to it a portion of a parcel of real property consisting of approximately 1.58 acres, more or less, as described in Exhibit C, attached to the application. Western alleges that the loss of such property will not impair the efficiency of its operations.

The Commission staff has reviewed the application and has made a field investigation of the property to be sold. The report of this investigation is made a part of the record as Exhibit No. 1. The staff report concludes that the property to be sold is vacant, unused land and such sale would not adversely affect Western's operation.

The agreed consideration is \$8,000 and the sale is to occur as soon as possible to satisfy the immediate requirements of the City of Novato. Also, ad valorem taxes for the fiscal year ending June 30, 1968, subsequent to the date of delivery of deed or agreement of sale, premiums on insurance acceptable to purchaser, rents, interest and other expenses of said property will be prorated as of the date of the delivery of deed or agreement of sale, and Western will pay cost of revenue stamps and any expense connected with the removal of title defects, as set forth in Exhibit B attached to the application.

The Commission finds that the sale and transfer of said property as proposed in this proceeding will not be adverse to the public interest. It is concluded that the application should be granted. A public hearing is not necessary.

The action taken herein shall not be construed as a finding of the value of property to be transferred.

IT IS ORDERED that:

1. Western California Telephone Company is authorized to sell and convey to the City of Novato the real property referred to in this proceeding in accordance with the terms and conditions of the agreement attached to the application as Exhibit B.

2. Western California Telephone Company shall within thirty days thereafter notify this Commission in writing of the date of such sale and transfer of property.

3. The authority granted herein shall expire in the event the City of Novato does not consummate the purchase of said property within six months from the effective date hereof.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 22<sup>nd</sup> day of AUGUST, 1967.

*Robert E. Mitchell*  
President  
*William L. Bernard*  
*Augustus*  
*William L. Bernard Jr.*  
*John P. McManis*  
Commissioners