



BEFORE THE STATE BOARD OF EQUALIZATION
OF THE STATE OF CALIFORNIA

In the Matter of the Appeal of }
WATER FRONT TIDE LAND CO. }

Appearances:

For Appellant: Messrs. **McCutchen**, Olney, **Mannon** and
Greene, San Francisco
For Respondent: Reynold E. Blight, Franchise Tax **Com-**
missioner; **Frank L.** Guerena, San Francisco

O P I N I O N

This is an appeal, pursuant to Section 25 of the California Bank and Corporation Franchise Tax Act (Chap. 13, Stats. 1929), from the action of the Franchise Tax Commissioner in overruling the protest of Water Front Tide Land Co. against a proposed assessment of the minimum tax, with interest.

The facts in this case are practically identical with those in the matter of the appeal of the Magalia Mining Company, in which an opinion has been filed this day. The only substantial difference is that Water Front Tide Land Co, was organized primarily to deal in tide land and that its property consists of unreclaimed tide'land in San Francisco Bay. It appears that the company has never engaged in activity or realized any income or revenue from its property whatsoever. If anything, these facts strengthen the conclusion that the company is not "doing business".

O R D E R

Pursuant to the views expressed in the opinion of the Board on file in this proceeding, and in the matter of the appeal of Magalia Mining Company, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the action of Reynold E. Blight, Franchise Tax Commissioner, in overruling the protest of Water Front Tide Land Co., a corporation, against a proposed assessment of the minimum tax and interest thereon under Chapter 13, Statutes of 1929, be and the same is hereby reversed. Said ruling is hereby set aside and said Commissioner is hereby directed to proceed in conformity with this order.

Done at Sacramento, California, this 7th day of January, 1930, by the State Board of Equalization.

BY THE BOARD

R. E, Collins, Chairman
Dixwell L. Pierce, Secretary