

Decision No. 14185

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
KEY SYSTEM TRANSIT COMPANY, a corpora-
tion, for an order authorizing it to
sell certain real property to Charles
K. Brower and consenting to certain
releases.

Application Number 10519

Morrison, Dunne & Brobeck for Key System
Transit Company.

Jesse Robinson, for Charles K. Brower.

BY THE COMMISSION :

ORDER

Key System Transit Company asks permission to sell certain
real property situate in the City of Oakland, County of Alameda, State
of California, and bounded and particularly described as follows :-

Commencing at the point of intersection of the Northern
line of Fortieth Street with the Western line of Broadway,
as said Fortieth Street and said Broadway are shown and so
designated upon that certain map hereinafter referred to;
and running thence Westerly along said Northern line of
Fortieth Street Seventy-four and 35/100 (74.35) feet; thence
Northerly parallel with said Western line of Broadway Thirty-
four (34) feet to the Northern line of Lot Numbered Twenty-
three (23) in Block lettered "G", as said Lot and Block are
laid down, delineated and so designated upon that certain
map hereinafter referred to; thence Easterly along said
Northern line of Lot Numbered Twenty-three (23) a distance
of Seventy-four and 35/100 (74.35) feet to said Western
line of Broadway; thence Southerly along said Western line
of Broadway Thirty-four (34) feet to the point of commence-
ment.

Being a portion of Lot Numbered Twenty-three (23), in
Block Lettered "G", as said Lot and Block are laid down,
delineated and so designated upon that certain map entitled
"Resubdivision of Blocks E & G of Alton Park, Oakland
Township, Alameda Co., Cal., 1906" filed February 10th,
1906 in the office of the County Recorder of said Alameda
County.

At the present time the Key System Transit Company uses a small portion
of the above described property upon which is located a certain one story

frame building used by the company as a waiting room for its passengers. Charles K. Brower, who has offered to purchase the property for the sum of \$11,000.00, has agreed as a further consideration to give and grant to the Key System Transit Company a ninety-nine year lease upon portions of the property as set forth in the lease filed in this proceeding and marked Exhibit "A". Charles K. Brower will lease for an annual rental of \$1.00 a room suitable as a waiting room for passengers of the Key System Transit Company. He also agrees to pay the cost of janitor service for the waiting room. It occurs to us that the lease entered into between the Key System Transit Company and Charles K. Brower conserves the public interest in this property.

The Commission is of the opinion that this is a matter in which a public hearing is not necessary and that this application should be granted.

IT IS THEREFORE ORDERED that the KEY SYSTEM TRANSIT COMPANY be, and it is hereby, authorized to sell, on or before December 31, 1924, to Charles K. Brower, upon the terms and conditions set forth in this application, the above described property. The Railroad Commission hereby consents to the release of the above described property from the company's first mortgage dated July 1, 1923 and from the company's general and refunding mortgage dated July 1, 1923.

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

DATED at San Francisco, California, this 20th day of October, 1924.

Ol. Leary
H. B. Randall
Iving Martin
Egerton Shore

Commissioners.