

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of the San Diego and Arizona Railway Company for the order of the Commission authorizing it to lease to the San Diego Electric Railway Company a portion of its unused right-of-way property, in San Diego, California.

Application No. 10804.

BY THE COMMISSION:

C R D E R

San Diego and Arizona Railway Company, a corporation, filed the above-entitled application with this Commission on the second day of February, 1925, asking for authority to lease a portion of its unused right of way in the City of San Diego to the San Diego Electric Railway Company.

Attached to the application, and marked Exhibit A, is a copy of agreement of lease entered into on December 1st, 1924, between the two companies covering the terms upon which the property is to be leased. The strip of land to be leased extends from the west line of intersection of State Street produced beyond Market Street to a point on the north line of Broadway (at Block A, Middletown) over and across portions of the following described property:

Block 23 New San Diego  
Block 29 New San Diego  
Block 37 New San Diego  
Block 45 New San Diego  
Block 52 New San Diego

said leased premises being more particularly shown and enclosed within orange lines upon the plot or map (No. E-469) attached to and made a part of the agreement.

We have carefully examined the form of agreement of lease submitted and find nothing therein that is contrary to public policy. We are of the opinion that this is not a matter in which a public hearing is necessary and that the application should be granted; therefore

IT IS HEREBY ORDERED that applicant, San Diego and Arizona Railway Company, be and it is hereby authorized to lease to the San Diego Electric Railway Company a portion of its unused right of way property in the City of San Diego, County of San Diego, California, as herein described, substantially in accordance with the terms of the copy of agreement of lease submitted with application and dated December 1st, 1924, subject, however, to the following conditions:

(1) A certified copy of agreement of lease between San Diego Electric Railway Company and San Diego and Arizona Railway Company relating to property herein mentioned shall be filed with this Commission sixty (60) days following the date of this order.

(2) The Commission reserves the right to make such further orders in this matter as it may seem right and proper and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

For all other purposes this order shall be effective twenty (20) days after the making hereof.

Dated at San Francisco, California, this 26<sup>th</sup> day of February, 1925.

H. B. Brundage  
Chas. L. Sealey  
Edgar M. Shaw  
George A. Squires  
Ernest L. Smith  
Commissioners.