

Decision No. 17719

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CRESCENT CITY WHARF AND DOCK COMPANY,) Application No. 13325.
a corporation, for approval of the re-)
newal of a wharf franchise.)

BY THE COMMISSION:

ORDER

CRESCENT CITY WHARF AND DOCK COMPANY, a corporation, having been granted by the Board of Trustees of the City of Crescent City, County of Del Norte, State of California, on November 7, 1926, a renewal of a franchise theretofore granted to the said corporation by the said Board of Trustees on the 15th day of January, 1906, together with a right to take tolls for the use of said wharf in the manner provided by law, on that certain overflowed and submerged land bordering on the harbor of Crescent City, an arm of the sea, situated in the City of Crescent City, County of Del Norte, State of California, and more particularly described as contained and being within the following boundaries, to-wit:

Commencing at Lot number twenty-two (22) in said City of Crescent City, running thence at an angle of south 52° East eighteen hundred and seventy-five (1875) feet into the Bay of said Crescent City; thence curving and running at an angle of south 46° 20' West four hundred and fifteen (415) feet to Flat Rock.

Applicant having applied to the Railroad Commission for approval of the said renewal of the franchise heretofore granted to it by the said Board of Trustees on the 15th day

of January, 1906, which franchise is fully set forth in the application herein, and having submitted to the Railroad Commission copies of its Articles of Incorporation, and of the application of said corporation for the said renewal of the franchise heretofore granted to it on the 15th day of January, 1906, to the Board of Trustees of the City of Crescent City, County of Del Norte, State of California, and a copy of the ordinance of said Board of Trustees granting a renewal of said franchise; and

The Commission being of the opinion that this is not a case in which a public hearing is necessary, and that this application should be granted;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Railroad Commission hereby approves the renewal of the franchise dated January 15, 1906, described in the application herein; provided, that this order will not become effective until Crescent City Wharf and Dock Company, a corporation, has filed with the Railroad Commission, for approval, a stipulation declaring that neither the said Crescent City Wharf and Dock Company, a corporation, nor its successors, transferees nor assigns will ever claim before the Railroad Commission, or any court or other public body, a value for said right, privilege and franchise in excess of the amount actually paid to the City of Crescent City as a consideration for the granting of said right, privilege and franchise, which amount shall be stated in the stipulation, and shall have received from the Railroad Commission a supplemental order declaring that such stipulation has been filed in form satisfactory

to said Railroad Commission.

Dated at San Francisco, California, this 7th day of
December, 1926.

H. B. Rendice
C. J. Seaver
Ernest D. ...
Leon A. Whittell

Commissioners.