

Decision No. 18808

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of the application of The Atchison, Topeka and Santa Fe Railway Company, a corporation, and Fresno Interurban Railway Company, a corporation, for authority on the part of the latter to sell and of the former to buy trackage at Hammond, Fresno County, California.

Application No. 13999.

BY THE COMMISSION:

O R D E R

In this application The Atchison, Topeka and Santa Fe Railway Company, a corporation, and Fresno Interurban Railway Company, a corporation, ask permission for the latter to sell and the former to buy certain trackage and right-of-way appurtenant thereto in the vicinity of Hammond, Fresno County, California.

The application shows that the tracks desired to be transferred are located on McKinley Avenue and adjacent to the north side thereof between Fresno and Blackstone Avenues, that said track in McKinley Avenue curves north on the west side of Blackstone Avenue and connects with a side track of the Santa Fe. Additional trackage to be transferred consists of a spur track diverting from the last mentioned curve and serving a packing house on the southeast corner of Blackstone Avenue and McKinley Avenue and of a section of side track extending from the connection with the Santa Fe siding above mentioned, parallel with said siding to a point on a second Santa Fe siding about forty-five feet southeasterly of the easterly line of Blackstone Avenue. The right-of-way to be transferred consists of four parcels, as follows:

- (1) A triangular parcel of land on the northeast corner of Lot No. 1, North Villa Tract at the southwest corner of McKinley and Blackstone Avenues.

(2) A strip of land 23 feet wide on the north line of McKinley Avenue and extending from a point 150 feet west of the west line of Kentucky Avenue produced northerly, westerly to a point 80 feet east of the east line of Blackstone Avenue.

(3) A triangular parcel of land on the northeast corner of the intersection of the Santa Fe right-of-way with the north line of McKinley Avenue.

(4) A curved strip of land 17 feet wide in the northwest quarter of Lot 8 of the Salinger Tract at the southeast corner of Blackstone and McKinley Avenues.

The application gives the value of the trackage to be transferred as \$13,607. and of the four parcels of right-of-way as \$7,013.

Applicants state that their desire for entering into the sale of the above properties is due to the fact that the trackage involved is isolated from the remainder of the system of the Fresno Interurban Railway Company, due to the removal of certain trackage on Fresno Avenue belonging to the Fresno Interurban Company. Authority for such removal was granted under this Commission's Decisions No. 12682, dated October 4th, 1923, and No. 13878, dated August 4th, 1924, on Application No. 9335. Since said track on Fresno Avenue has been removed the tracks under consideration in this proceeding have been used exclusively by The Atchison, Topeka and Santa Fe Railway Company.

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

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company, a corporation, be and it is hereby authorized to buy, and Fresno Interurban Railway Company, a corporation, be and it is hereby authorized to sell, for the sum of Twenty Thousand, Six Hundred and Twenty-five Dollars (\$20,625.00), the tracks and parcels of land hereinbefore described and as shown on the map (C.E.C.L.Dwg.No. 226-17781) attached to the application, subject to the following conditions:

(1) Applicants shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the property transfer herein authorized.

(2) The authority herein granted shall not be construed as a determination by this Commission of the value of the property for any other purpose other than the transfer herein authorized.

(3) If said property shall not have been transferred within one year from the date of this order, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

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

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 14th day
~~of August~~, 1927.

Wm. J. ...

Ch. Seavey

Thos. J. ...

M. J. ...

Commissioners.