

ORIGINAL

Decision No. 19356 .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of SOUTHERN PACIFIC COMPANY for)
an order authorizing it to con-)
vey a certain parcel of land near)
Fourth and Parker Streets in the)
City of Berkeley, County of)
Alameda, State of California, in)
exchange for another parcel of)
land of equal value in the same)
vicinity.)

Application No. 14,346.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 14th day of January, 1928, asking for authority to dispose of a certain parcel of operative land, and in return therefor to acquire a certain parcel of land for operative purposes, as hereinafter described, all of which is situated in the vicinity of Fourth and Parker Streets in the City of Berkeley, Alameda County, California, and shown outlined in yellow and red respectively on the map (Western Div. Dwg. L. 63 Sheet 1 Revised) attached to the application.

Applicant alleges that it desires to construct an extension to the track serving the Corrugated Culvert Company in Parker Street and connect the same to the drill track at Fourth and Parker Streets and that the most feasible layout to accomplish this is by the construction of the new trackage shown by

red lines on the above mentioned map and the shifting or abandonment of the tracks shown by yellow lines on said map. This will require the additional right-of-way outlined in red on said map for the location of the new track. If this work is carried out as contemplated the parcel of land enclosed within yellow lines on said map will be no longer required by applicant for railroad purposes.

It appears to the Commission 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 Southern Pacific Company, a corporation, be and it is hereby authorized to convey to the Cutter Laboratory that certain parcel of land described as follows:

Beginning at a point in the south line of Parker Street where said line is intersected with the west line of Fourth Street produced southerly across Parker Street; thence south $14^{\circ}28'$ east along said west line of Fourth Street produced southerly a distance of 12.14 feet to a point; thence southwesterly on the arc of a curve concave to the left having a radius of 376.20 feet (the long chord of said curve bears south $26^{\circ}08'$ west a distance of 361.14 feet) an arc distance of 376.68 feet to a point in the line dividing the land of the Byron Manufacturing Company from the land of The Cutter Laboratory; thence south $72^{\circ}09'$ west along said dividing line a distance of 5.03 feet to a point; thence northwesterly on the arc of a curve concave to the right having a radius of 442.38 feet (the long chord of said curve bears north $30^{\circ}11'27''$ west, a distance of 49.51 feet) an arc distance of 49.53 feet to a point; thence north $0^{\circ}01'$ east, tangent to last described curve a distance of 7.47 feet to a point; thence northeasterly on the arc of a curve concave to the right, having a radius of 213.08 feet (the long chord of said curve bears north $7^{\circ}11'49''$ east a distance of 53.22 feet) an arc distance of 53.35 feet to a point; thence continuing northeasterly on the arc of a curve concave to the right having a radius of 161.12 feet (the long chord of said curve bears north $10^{\circ}05'03''$ east a distance of 15.55 feet) an arc distance of 15.55 feet to the point of compound curve; thence continuing northeasterly on the arc of a curve concave to the right, having a radius of 352.25 feet (the long chord of said curve bears north $27^{\circ}41'06''$ east a distance of 180.39 feet) an arc distance of 182.47 feet to a point; thence continuing northeasterly on the arc of a curve concave to the right, having a radius of 348.06 feet (the long chord of said curve bears north $49^{\circ}42'17''$ east a distance of 77.00 feet) an arc distance of 77.16 feet to

a point in the said south line of Parker Street; thence north $75^{\circ}32'$ east along the said south line of Parker Street a distance of 12.03 feet to the point of beginning, containing an area of 0.124 of an acre, more or less.

and as shown outlined in yellow on map (Western Division Drawing L-63, Sheet 1 revised) attached to the application and in exchange therefor acquire in the name of Southern Pacific Railroad Company, its lessor, from the Cutter Laboratory that certain parcel of land described as follows:

Beginning at a point in the south line of Parker Street distant thereon southwesterly 68.70 feet from the intersection with the west line of Fourth Street produced southerly across Parker Street; thence southwesterly on the arc of a curve concave to the left having a radius of 416.20 feet (the long chord of said curve bears south $28^{\circ}13'38''$ west a distance of 261.49 feet) an arc distance of 265.99 feet to a point in the east line of the right-of-way of the Southern Pacific Company; thence north $14^{\circ}28'$ west along said east line a distance of 25.62 feet to a point; thence northeasterly on the arc of a curve concave to the right having a radius of 201.12 feet (the long chord of said curve bears north $10^{\circ}05'08''$ east a distance of 19.40 feet) an arc distance of 19.41 feet to the point of compound curve; thence continuing northeasterly on the arc of a curve concave to the right having a radius of 392.25 feet (the long chord of said curve bears north $27^{\circ}41'11''$ east a distance of 200.91 feet) an arc distance of 203.14 feet to a point in the said south line of Parker Street; thence north $75^{\circ}32'$ east along the south line of Parker Street a distance of 34.42 feet to the point of beginning, containing an area of 0.087 of an acre, more or less.

and as shown outlined in red on the map (Western Division Drawing L-63, Sheet 1 revised) attached to the application subject, however, to the following conditions:

(1) Applicant 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 said property for any other purposes than the transfer herein authorized.

(3) If said property shall not have been sold and con-

veyed within one (1) 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.

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

Dated at San Francisco, California, this 15th day of February, 1928.

Leon Whitehall

Chas. J. ...

Paul D. ...

M. J. ...
Commissioners.