

Decision No. 21001.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
the San Francisco, Napa and Calistoga
Railway to sell certain property along
its right of way within the County of
Napa and City of Napa, California.

Application No. 15463.

BY THE COMMISSION:

O R D E R

The San Francisco, Napa and Calistoga Railway, a corporation, filed the above entitled application with this Commission on the 8th day of March, 1929, asking for authority to sell an undivided one-half interest in a parcel of property, which it owns in fee jointly with the Great Western Power Company of California and is more particularly described hereinafter, to the Great Western Power Company of California, for the sum of three hundred (300) dollars. By a petition filed with this Commission on April 15, 1929, Great Western Power Company joined in the above entitled application.

In this application it is alleged that said property was purchased for the purpose of maintaining over, across and thereon a transmission line jointly with the Great Western Power Company; that the said property is not now used by applicant and will not again be required in the performance of its railway operations.

The Commission is of the opinion that the sale proposed conserves the public interest, that this is not a matter in which a public hearing is necessary, and that this application should be granted subject to the conditions hereinafter specified, therefore

IT IS HEREBY ORDERED that San Francisco, Napa and

Calistoga Railway be and it is hereby authorized to sell to Great Western Power Company of California that certain parcel of property described as follows:

DESCRIPTION OF PROPERTY

The Easterly Fifty (50) feet of Lots Numbered Six and Seven, in Block Numbered Four of EAST NAPA, as said Lots and said Block are laid down and delineated upon that certain Map, entitled: "MAP OF EAST NAPA", filed in the office of the County Recorder of The County of Napa, State of California, February 23rd, 1886.

TOGETHER with the rights of way and easements, over, along, across and upon that certain lot, piece or parcel of land belonging to the said party of the first part by accretion from Napa River, by reason of her ownership of Lot Numbered One, in Block numbered Three of said East Napa, as shown by the said Map hereinabove referred to, and the ownership of the Westerly Ten Feet of said Lot Numbered Six in said Block Numbered Four of said EAST NAPA, as shown by said Map hereinabove mentioned and referred to, and which said lands are described as bounded Southerly by the Northern line of said Lot One in said Block Three, and the Northern line of said Westerly Ten Feet of said Lot Six of said Block Four of said EAST NAPA, as delineated upon said Map aforesaid, Westerly by the Western line of said Lot One of said Block Three, projected Northerly to the existing bank of Napa River, Northerly by the existing Southern bank of Napa River, and Easterly by the Western line of the lands hereinabove conveyed, projected Northerly to the existing Southern bank of Napa River; which said rights of way and easements, over, along, across and upon said last mentioned tract of land is to be along the route of the existing line of wire suspended from the existing line of poles now maintained by the GREAT WESTERN POWER COMPANY, and located on the land hereinabove conveyed, and on the land lastly hereinabove mentioned, and thence crossing Napa River, and to a pole located on or near the Northern bank of said River.

GRANTING unto the said party of the second part, along the route lastly hereinabove mentioned, the rights of way and easements to re-construct, repair, replace, maintain and use the existing pole now located and maintained thereon by the said GREAT WESTERN POWER COMPANY, and to attach to such pole all necessary cross arms, braces, connections, fastenings and other appliances and fixtures, for suspending and supporting all wires deemed reasonably necessary or required for the purpose of transmitting and distributing electricity, and for a telephone for the private use of the party of the second part, with the right of ingress to and egress from the said line of wire and pole and appliances and fixtures, from the said Easterly Fifty Feet of said Lot Six of said Block Four, hereinabove conveyed, it being understood that the said party of the second part,

in the exercise and enjoyment of the rights herein granted will indemnify the party of the first part, her heirs or assigns, as successors to her estate in said lands, or any part thereof, against any and all loss and damage which may be caused by the exercise of the right of ingress or egress, or by any wrongful or negligent act or omission by the said party of the second part, its agents and employees, in the course of their employment, and will avoid unreasonable interference with the full enjoyment and use of the lands over, along, across or upon which said rights of way and easements are hereby granted, for any and all purposes not inconsistent with the full enjoyment of the rights herein granted,

and as shown by the map (River Crossings G.W.P. and S.F.N. & C. Railway Lines) 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 authority 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 19th day
of March, 1929.

[Signature]
[Signature]
[Signature]