

Decision No. 21929.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of San Francisco, Napa and Calistoga Railway to sell certain real property detached from its right of way within County of Napa, State of California.

Application No. 16125.

BY THE COMMISSION:

**ORIGINAL**

ORDER

The San Francisco, Napa & Calistoga Railway, a corporation, filed the above entitled application with this Commission on November 26, 1929, asking for authority to sell a parcel of property more particularly described hereinafter for the sum of Fifty (50) Dollars. Applicant alleges that the property was purchased as right of way for a projected railway which has subsequently been built in another location and that said property is not used or required by applicant in the performance of its railway operations or its duty to the public.

The Commission is of the opinion that the sale proposed conserves the public interests, that it 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 that certain

parcel of property described as follows:

"Beginning at the Southeast corner of the land formerly owned by J. W. Ellis, thence running along the Northerly line of the lane which separates said land from the land of A. M. Panzer South  $67^{\circ} 31'$  West 50.54 feet to a point, thence North  $14^{\circ} 10'$  West 676.80 feet to a point on the boundary line between the land herein described and the land of W.W. Lyman, distance thereon 50.54 feet South  $67^{\circ} 07'$  west from the common corner of the land herein described and the lands of Lyman, thence along boundary North  $67^{\circ} 07'$  East 50.54 feet to said common corner being a point in the Westerly line of the lane which separates the former land of J. W. Ellis and the land of Bertha Ehlers, thence along the Westerly line of lane South  $14^{\circ} 10'$  East 677.16 feet to point of commencement. Containing .78 acres more or less."

The authority for said sale being subject 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 the property for any 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

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the date hereof.

Dated at San Francisco, California, this 20<sup>th</sup>  
day of December, 1929.

Thos. J. Lott

W. J. Lott

George J. Lott

Leon J. Lott

W. J. Lott

Commissioners.