

Decision No. 22057.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of THE VISALIA ELECTRIC RAILROAD COMPANY, a corporation, for authority to sell to B. G. Rooke, of the City of Lindsay, in the County of Tulare, State of California, certain real property in said county of Tulare particularly described.

Application No. 16238

BY THE COMMISSION:

**ORIGINAL**O R D E R

The Visalia Electric Railroad Company, a corporation, filed the above entitled application with this Commission on the 18th day of January, 1930, asking for authority to sell a certain parcel of operative property, more particularly described hereinafter, to B. G. Rooke for the sum of \$957.71.

Applicant states that the property which it proposes to sell is at the present time occupied by a citrus fruit packing house, with its appurtenances, which is owned and operated by said B. G. Rooke; that said B. G. Rooke is desirous of purchasing said property in order to facilitate the conduct of his citrus fruit packing operations; that it is no longer necessary that applicant retain said property for railroad purposes and that the interests to the public will be best served by the sale of said property. The Commission is of the opinion that the sale of said property conserves the public interests; 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 Visalia Electric Railroad Company be and it is hereby authorized to sell to B. G. Rooke that certain parcel of property described as follows:

"That portion of the east half of the northeast quarter of Section thirty-four (34), in Township seventeen (17) south, Range twenty-six (26) east, of the Mount Diablo Base and Meridian, to-wit:

"Beginning at a point on the north line of that certain piece or parcel of land conveyed by Jesse B. Agnew, Wilma Casebeer Agnew, his wife, and Phil M. Baier, a widower, to the Visalia Electric Railroad Company by Deed recorded in Volume 272, Page 414, Official Records of said County of Tulare, said point of beginning being distant south one hundred two (102) feet and south eighty-eight degrees and forty-nine minutes ( $88^{\circ} 49'$ ) west six hundred (600) feet from the northeast corner of said Section thirty-four (34); thence from said point of beginning south one degree and eleven minutes ( $1^{\circ} 11'$ ) east one hundred fifty (150) feet to a point; thence south eighty-eight degrees and forty-nine minutes ( $88^{\circ} 49'$ ) west six hundred (600) feet to a point; thence north one degree and eleven minutes ( $1^{\circ} 11'$ ) west one hundred fifty (150) feet to a point in said north line of land conveyed by Jesse B. Agnew, Wilma Casebeer Agnew and Phil. M. Baier to the Visalia Electric Railroad Company; thence continuing north one degree and eleven minutes ( $1^{\circ} 11'$ ) west ten (10) feet to a point; thence north eighty-eight degrees and forty-nine minutes ( $88^{\circ} 49'$ ) east six hundred (600) feet to a point; thence south one degree and eleven minutes ( $1^{\circ} 11'$ ) east ten (10) feet to a point of beginning, containing 2.2038 acres of land;"

and as shown by the map Exhibit "A" attached to the application, 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 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 29th day of January, 1930.

C. L. Sewery

Leon White  
David L. Smith

Commissioners.