

Decision No. 22785

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 MT. TAMALPAIS & MUIR WOODS RAILWAY,
 for an order permitting it to abandon
 all service upon its lines, to sur-
 render its franchises and to quitclaim
 its rights of way to the original
 grantors or their successors.

ORIGINAL

Application No. 16666.

BY THE COMMISSION:

ORDER

Mt. Tamalpais & Muir Woods Railway filed the above entitled application with this Commission on June 21, 1930, asking for authority to abandon all service upon its railway lines and to surrender its franchise and quitclaim rights of way to the original grantors or their successors.

Applicant alleges that its railway line is of a scenic and recreational character and is patronized exclusively by visitors and tourists for pleasure purposes only and that there are no regular patrons thereof who depend upon service for regular transportation of either passengers or freight.

Applicant further alleges that the construction of a toll road and other roads connecting the Town of Mill Valley with the Summit of Mt. Tamalpais and with Muir Woods and the competition of sight-seeing bus lines and privately-owned automobiles have made it impossible to operate except at a loss and that in the opinion of applicant this condition will continue in spite of the curtailment of its operations during the winter months as

authorized by the Commission in its Decisions Nos. 4927 and 22207.

Applicant further alleges that the property over which its railway rights of way pass is within the boundaries of the lands of the Marin Municipal Water District and it is desired to terminate said rights of way and easements and quitclaim the same immediately to said Marin Municipal Water District.

The Town Council of the Town of Mill Valley passed a motion that the Council had no objection to the abandonment of the Mt. Tamalpais & Muir Woods Railway and so informed the Commission by letter of July 10, 1930. The Board of Supervisors of Marin County on July 7, 1930, passed a motion that the Clerk be instructed to advise the Commission that, in the opinion of the Board, it would not be necessary to hold a hearing in the matter of this application. The Clerk so advised the Commission by letter of July 28, 1930. Marvelous Marin, Inc., by letter of July 28, 1930, advised the Commission that it would offer no protest to the granting of this application.

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 Mt. Tamalpais & Muir Woods Railway be and it is hereby authorized to abandon all service upon its railway in the County of Marin, State of California, to surrender its franchise and to quitclaim its rights of way to the original grantors or their successors.

IT IS HEREBY FURTHER ORDERED that the Tariffs and Time Schedules filed with the Commission by Mt. Tamalpais & Muir

Woods Railway be and the same are hereby canceled.

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

Dated at San Francisco, California, this 7th day of August, 1930.

W. L. Leary
Emmery

Thos. J. Latta

Commissioners