

LBM

Decision No. 24827.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
FRED A. SUTHERLAND,)
an individual doing business under)
the firm name and style of SUTHER-)
LAND'S TIA JUANA STAGES, for permis-) Application No. 17830
sion to abandon use of certain real)
property as operative property.)

Arthur F. H. Wright, for applicant.

BY THE COMMISSION:

OPINION

ORIGINAL

Fred A. Sutherland, doing business under the firm name and style of Sutherland's Tia Juana Stages, is engaged in the business of carrying passengers for hire by automobile bus between the City of San Diego and the Port of San Ysidro at the International boundary line between the United States and Mexico. He asks permission to abandon the use of the properties hereinafter described, in his public utility operation.

Applicant reports that he owns approximately two and one half acres of land at the southern terminal of his stage line; that a new highway is being constructed at the Port of San Ysidro connecting the United States and Mexico and that the present highway will be abandoned upon the completion of said new highway; that the location of the United States Custom House at said International boundary will be extended southerly and westerly to the northeasterly boundary line of the new highway; that the property

owned by applicant will front upon said new highway for a distance of approximately 550 feet and has become too valuable to remain undeveloped. It is proposed by applicant to use this property for commercial purposes, retaining, however, a private road 30 feet wide through the property to a tract 50 x 125 feet fronting for 50 feet upon the new highway.

Applicant alleges and our investigation shows that the property which he proposes to retain as operative property is all that he needs in his stage operation. We find that Fred A. Sutherland should be authorized to abandon the use, in his public utility operation, of that certain real property in the County of San Diego, State of California, particularly described as follows:

"That portion of Lots Six (6) and Ten (10), Section Six (6), Township 19 S., R.1 W. S.B.M. described as follows: Commencing at Monument No. 255 on the International Boundary Line between United States and Mexico; thence South 84° West along said International Boundary Line 423 feet for place of beginning; thence North 29° West 297½ feet to the South Boundary Line of a public highway 40 feet wide; thence North 43° 30' West 289 feet along said highway line; thence South 22° West 277 feet; thence South 43° 30' East 326 feet to an intersection with said International Line; thence North 84° East 225 feet to place of beginning and containing Two and one-half (2½) acres, except that portion of Lots Six(6) and Ten (10), Section 6, Township 19 South, Range 1 West, S.B.M. described as follows: Beginning at a point on the Westerly right-of-way line of relocation County Highway Commission Route 10, Division 2. Said point being North 24° 35' 10" West 81.7 feet from a point on the International Boundary Line between the United States and Mexico which is South 84° 15' West 500.83 feet from the boundary monument No. 255, thence South 65° 24' 50" West 155 feet, thence North 24° 35' 10" West 347.88 feet, thence North 21° 52' East 172.47 feet to the Westerly right-of-way line of relocation County Highway Commission Route 10, Division 2, thence south 24° 35' 10" East 41.4 feet thence South 21° 52' West 159.36 feet, thence South 24° 35' 10" East 285 feet, thence North 65° 24' 50" East 125 feet to the Westerly right-of-way line of relocation County Highway Commission Route 10, Division 2, thence South 24° 35' 10" East 50 feet to the point of beginning."

ORDER

Applicant Fred A. Sutherland having asked permission to abandon the use, in his public utility operation, of the properties described in the foregoing opinion, the Commission having

considered the request of applicant, and being of the opinion that there is no necessity for a hearing in this application and that the application should be granted, therefore,

IT IS HEREBY ORDERED, that Fred A. Sutherland be, and he is hereby, authorized to abandon the use of the property described in the foregoing opinion, in his public utility operation.

DATED at San Francisco, California, this 21st day of December, 1931.

C. C. Seaman
Leon Whidney
W. A. Cunn
W. B. Harris
Fred G. Stewart.
Commissioners.