

Decision No. 24959

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC ELECTRIC RAILWAY COMPANY, a)
corporation, to exchange real property)
in the City of Beverly Hills and to)
relocate certain tracks.)

APPLICATION NO. 18241

ORIGINAL

BY THE COMMISSION.

OPINION AND ORDER

Pacific Electric Railway Company, on June 25, 1932, filed the above entitled application, requesting authority to exchange with the City of Beverly Hills a parcel of real property upon which the tracks of its West Sixteenth Street Line are located, for another parcel of real property immediately adjacent thereto and to relocate the tracks of said line to the new property, in the City of Beverly Hills, County of Los Angeles.

Applicant alleges that it proposes to exchange a strip of land approximately twenty-five feet in width, which is part of its Sixteenth Street Line right of way, for another strip of approximately equal size, which will result in moving the right of way of said line southerly for a distance of approximately twenty-five feet; that the exchange is to be made with the City of Beverly Hills and is for the purpose of adding the twenty-five feet to be conveyed by the Pacific Electric Railway Company to the Civic Center property of the City of Beverly Hills; that Pacific Electric Railway Company sold property to the City of Beverly Hills adjoining its Sixteenth Street Line right of way, pursuant to this Commission's Decision No. 23238, dated December 30, 1930, on Application No. 17053; that there was attached to said application

an agreement, dated November 5, 1930, between the City of Beverly Hills and the Pacific Electric Railway Company, setting forth the terms of the sale and also reciting, in Article III, that it was understood that the exchange of property as herein applied for would subsequently be made.

Applicant further alleges that in the exchange proposed herein, applicant will receive property of equal value to the property conveyed; that the ability of applicant to perform its public service will not be affected or jeopardized, and that public interest will be subserved by the making of said exchange and that the cost of making the shift of tracks and grade change will be paid by the City of Beverly Hills.

It appearing that a public hearing is not necessary herein and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that Pacific Electric Railway Company is hereby authorized to exchange with the City of Beverly Hills, a certain parcel of property consisting of a portion of the right of way of its Sixteenth Street Line as more particularly described in the application and as shown on blue print map (C.E. 9551) attached thereto, for a parcel of property adjacent to said right of way and as described in the application and as shown by said map (C.E. 9551), and to relocate and reconstruct certain tracks as described in the application and as shown on the above mentioned map, subject to the following conditions:

- (1) Prior to the exchange of property and the relocation and reconstruction of said tracks authorized herein, applicant shall file, for this Commission's approval, a certified copy of an agreement entered into by applicant and the City of Beverly Hills, setting forth the conditions under which the exchange of property and the relocation and reconstruction of said tracks are to be made.

- (2) The authorization for the exchange of property herein granted shall not be construed as a determination of the value of the property for any purpose other than the exchange herein authorized.
- (3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the property exchange and the relocation and reconstruction of said tracks herein authorized and of its compliance with the conditions hereof.
- (4) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof, unless further time is granted by subsequent order.

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

Dated at San Francisco, California, this 30th day of

June, 1932.

Cl. Seavey

W. B. Lang

Fred G. Stewart

Commissioners.