

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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ORIGINAL

In the matter of the application of
NORTHERN ELECTRIC RAILWAY COMPANY,
a corporation, for an order authori-
zing a sale of a certain parcel of
land in the City of Woodland, County
of Yolo, State of California, to
R. B. CRANSTON.

APPLICATION NO.
1128.

Recd. No. 1573

T. T. C. Gregory for applicant.

LOVELAND, Commissioner.

O P I N I O N.

Applicant shows that it is a corporation organized and existing under and by virtue of the Laws of the State of California, having its principal place of business in the City and County of San Francisco, California, and was organized for the purpose of transporting passengers and freight, by rail, in cities and towns and places within said State of California as is more particularly set forth in a certified copy of its Amended Articles of Incorporation, heretofore filed with the Railroad Commission and referred to and made a part of this application.

Applicant further shows that the Vallejo and Northern Railroad Company is a corporation also organized and existing under and by virtue of the Laws of the State of California, having its principal place of business in the City and County of San Francisco, California, and also organized for the purpose of transporting passengers and freight, by rail, between cities and towns and places within the State of California, as set forth in certified copy of its Articles of Incorporation heretofore filed with the Railroad Commission and referred to and made a part of this application.

That on February 18, 1913, said Vallejo and Northern Railroad Company was the owner of all of that certain lot, piece or parcel of land lying and being in the City of Woodland, Yolo

County, California, and bounded and particularly described as follows, to-wit:

"A tract of land bounded on the East by Second Street, on the North by an alley, on the West by lands of Armstrong & Alge and on the South by lands of Emily Hollingsworth and Armstrong & Alge, together with all the tenements, hereditaments and appurtenances whatsoever, to the same belonging or in anywise appertaining."

That on or about the 18th day of February, 1913, after a hearing duly held by the Railroad Commission of the State of California upon Application No. 382, the Railroad Commission authorized by its decision No. 464, said Vallejo and Northern Railroad Company to sell, transfer and convey to said Northern Electric Railway Company, subject to certain conditions, all the properties and franchises owned, held and enjoyed by said Vallejo and Northern Railroad Company; that thereafter, on or about the 18th day of February, 1913, said Vallejo and Northern Railroad Company, under the authority given by the Railroad Commission in said Order No. 464, delivered to said Northern Electric Railway Company an instrument, in writing, dated January 21, 1913, by which said Vallejo and Northern Railroad Company sold, assigned, transferred and set over said property and franchises to said Northern Electric Railway Company, its successors and assigns.

That the Northern Electric Railway Company, applicant herein, in the conducting of its business, as aforesaid, and in the performance of its public duties as a corporation engaged in the transportation of freight and passengers by rail, actually uses and has use for only a portion of that tract of land hereinabove described; that the following described portion of said tract of land above described is not used or useful to applicant, the Northern Electric Railway Company, in the discharge of its duties as a common carrier.

A piece or parcel of land in the block bounded by Main Street, First Street, Lincoln Avenue and Second Street in the City of Woodland, County of Yolo, State of California, and more particularly described as follows, to-wit:

Beginning at a point on the southerly line of the 20-foot alley which runs east and west in the block bounded by Main Street, First Street, Lincoln Avenue and Second Street, in the City of Woodland, County of Yolo, State of California, said point being distant 144.8 feet westerly along said southerly line from the point where said southerly line produced easterly, intersects the center line of Second street, said intersection of the southerly line of said alley produced, with the center line of Second Street being distant southerly along said center line of Second street 217.4 feet from a city monument located at the intersection of the north line of Main street with the center line of said Second street; thence from said point of beginning, southerly at right angles from said southerly line of said alley, a distance of 68 feet, more or less, to a point; thence westerly at right angles a distance of 41.4 feet, more or less, to a point, said point being the southeast corner of a brick building; thence northerly a distance of 68 feet, more or less, to a point on the southerly line of said 20-foot alley; thence easterly along the southerly line of said alley a distance of 41.4 feet, more or less, to the point of beginning.

Containing 2815.2 square feet, more or less.

That applicant, the Northern Electric Railway Company, has sold and conveyed the last named parcel of land to R. B. Cranston for a consideration of \$800., a part of which consideration, to-wit, \$360. has been paid to the Yolo County Savings Bank to secure a release of mortgage held by said bank on said parcel of land; that said parcel of land is also subject to the lien of the first mortgage or deed of trust heretofore, to-wit, on December 1, 1911, executed and delivered by the Vallejo and Northern Railroad Company to the Mercantile Trust Company of San Francisco, and is also subject to the deed of trust of applicant herein, the Northern Electric Railway Company, to the Mercantile Trust Company of San Francisco, as trustee, dated December 2, 1907; that the purchaser of said parcel of land now desires that said land be released from said liens and that said Mercantile Trust Company of San Francisco, the trustee under said

first mortgage or deeds of trust requires the authorization of the Railroad Commission to the trustee, from applicant herein, the Northern Electric Railway Company, to said R. B. Cranston, before releasing said parcel of land from said deeds of trust heretofore executed by the Northern Electric Railway Company and Vallejo and Northern Railroad Company to said Mercantile Trust Company of San Francisco, as set forth above.

The parcel of land hereinabove first described as being the property of the Vallejo and Northern Railroad Company was purchased by that company for the purpose of furnishing a site for a depot for that company. The tract was larger than was required for depot purposes and as was set forth by applicant at the hearing, that portion which applicant has conveyed to R. B. Cranston, more particularly described above, is not used or useful to applicant in the discharge of its duty as a public utility.

I find this to be a fact, and recommend the approval of the sale by applicant to R. B. Cranston.

O R D E R.

NORTHERN ELECTRIC RAILWAY COMPANY, for reasons set forth in the Opinion preceding this Order, having applied to this Commission for the approval of a sale of a certain parcel of land more particularly described as follows:

A piece or parcel of land in the block bounded by Main Street, First Street, Lincoln Avenue and Second Street, in the City of Woodland, County of Yolo, State of California, and more particularly described as follows, to-wit:

Beginning at a point on the southerly line of the 20-foot alley which runs east and west in the block bounded by Main Street, First Street, Lincoln Avenue and Second Street, in the City of Woodland, County of Yolo, State of California, said point being distant 144.8 feet westerly along said southerly line from the point where said southerly line produced easterly, intersects the center line of Second Street, said intersection of the southerly line of said alley produced, with the center line of Second Street being distant southerly along said center line of Second Street 217.4 feet from a city monument located at the intersection of the

north line of Main Street with the center line of said Second Street; thence from said point of beginning, southerly at right angles from said southerly line of said alley, a distance of 68 feet, more or less, to a point; thence westerly at right angles a distance of 41.4 feet, more or less, to a point, said point being the southeast corner of a brick building; thence northerly a distance of 68 feet, more or less, to a point on the southerly line of said 20-foot alley, thence easterly along the southerly line of said alley a distance of 41.4 feet, more or less, to the point of beginning.

Containing 2815.2 square feet, more or less.

and the Commission having found that said parcel of land is not and was not useful to applicant in the discharge of its duties to the public as a common carrier engaged in the transportation of freight and passengers between points and places in California.

IT IS HEREBY ORDERED that the sale and transfer by said Northern Electric Railway Company of the parcel of land above described to R. B. Cranston be and the same is hereby approved.

By order of the Railroad Commission.

Dated at San Francisco, California, this 9th day of June, 1914.

Wm M. Eschleman
H. J. Lovelass
W. G. ...

Commissioners.