

ORIGINAL

Decision No. 4612

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)	
LOS ANGELES & SALT LAKE RAILROAD)	
COMPANY and CRESCENT WHARF AND WARE-)	Application No. 3114.
HOUSE COMPANY for authority to enter)	
into a lease covering a certain wharf)	
at East San Pedro, California.)	

E. E. Bennett, for Los Angeles & Salt
 Lake Railroad Company.
 E. A. Mills, for Crescent Wharf &
 Warehouse Company.

O P I N I O N

LOVELAND, Commissioner:

In this application permission is asked by the Los Angeles & Salt Lake Railroad Company, a corporation duly incorporated and existing under the laws of the State of Utah, owning property and operating within the State of California, to lease to the Crescent Wharf and Warehouse Company, a corporation duly incorporated and existing under the laws of the State of California, a part of a wharf constructed at San Pedro, California, by the San Pedro, Los Angeles & Salt Lake Railroad Company, predecessor to applicant, the Los Angeles & Salt Lake Railroad Company and now owned by said applicant.

The application was heard at Los Angeles September 1, 1917. Notice of the hearing was sent to applicants and to the Board of Supervisors of Los Angeles County, and publication regularly made but only representatives of applicants were present at the hearing. The testimony in support of the pleadings developed the following facts:

✓ On August 14, 1901 the Board of Supervisors of Los Angeles County by Ordinance No. 45 (New Series, County of Los Angeles) approved August 14, 1901, granted to H. DeGarmo a franchise to construct and operate a wharf upon the land fronting on and extending into the waters of San Pedro Harbor; that thereafter, to-wit, on September 23, 1901, said H. DeGarmo sold and assigned said franchise to J. Ross Clark; that on August 24, 1903 said J. Ross Clark sold and assigned said franchise to applicant, the Los Angeles & Salt Lake Railroad then called the San Pedro, Los Angeles & Salt Lake Railroad Company; that as successor to said San Pedro, Los Angeles & Salt Lake Railroad Company said Los Angeles & Salt Lake Railroad Company is now the owner of said wharf franchise, said ownership being authorized by the Articles of Incorporation and Amendments thereto of said Los Angeles & Salt Lake Railroad Company; that said Los Angeles & Salt Lake Railroad Company desires to lease a part of the wharf constructed under said franchise No. 45, New Series, supra, to the Crescent Wharf and Warehouse Company; that said applicant, the Los Angeles & Salt Lake Railroad Company has practically ceased to operate the said wharf except as to that portion which it now desires to lease to applicant, the Crescent Wharf and Warehouse Company; that the Crescent Wharf and Warehouse Company is in the wharf and warehouse business and is better prepared by reason of having the necessary appurtenances to a wharfage business such as traveling cranes, etc., and that the public will be better served by the granting of this application and the operation of said portion of the wharf by the Crescent Wharf and Warehouse Company.

The testimony further shows that said franchise will expire August 14, 1921 and that owing to changes incidental to governmental improvement of the Harbor of Los Angeles at San Pedro said franchise cannot and will not be renewed; that applicants, the Los Angeles & Salt Lake Railroad Company and the Crescent Wharf and Warehouse Company have agreed to enter into arrangements by which the Crescent Wharf and Warehouse Company will operate said portion of said wharf and have prepared a lease, by the terms of which the Los Angeles & Salt Lake Railroad Company leases to the Crescent Wharf and Warehouse Company for the period of five years from August 14, 1916 that portion of the wharf covered by said wharf franchise No. 45, New Series, supra, as shown in red on a map attached to and made a part of the application herein, said map being more particularly described as Exhibit "A".

I find that the interest of all concerned will best be served by granting the prayer of applicants, and recommend that permission be given to execute the lease prayed for.

O R D E R

The Los Angeles & Salt Lake Railroad Company and the Crescent Wharf and Warehouse Company having applied for permission to execute a lease of a portion of a certain wharf described in the opinion preceding this order, and it appearing that the interest of applicants and of the public will best be served by permitting the execution of said lease,

IT IS HEREBY ORDERED that said applicants, be and they are authorized to execute a certain lease, copy

of which was attached to application, by the terms of which the Los Angeles & Salt Lake Railroad Company leases to the Crescent Wharf and Warehouse Company a part of a certain wharf at San Pedro constructed under franchise No. 45, (New Series, County of Los Angeles), said part of said wharf being shown by red lines on Exhibit "A" attached to and made a part of the application.

The foregoing opinion and order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 6th day of September, 1917.

Max Thelen
J. S. Lowland
W. Gordon
Edwin O. Edgerton
Frank D. White
Commissioners.