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Decision No. _____

ORIGINAL

Decision No. 4805

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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| In the Matter of the Application of NEEDLES GAS & ELECTRIC COMPANY for authority to exchange a piece of land for another of practically the same acreage with The Atchison, Topeka and Santa Fe Railway Company. | } } } } } } | <u>APPLICATION</u> <u>NO. 2854</u> |
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E. H. Rose and R. S. Masson
for
Needles Gas & Electric Company.

M. W. Reed for The Atchison,
Topeka and Santa Fe Railway
Company.

BY THE COMMISSION

O P I N I O N

In this application Needles Gas & Electric Company requests authority to transfer to The Atchison, Topeka and Santa Fe Railway Company a certain parcel of land hereinafter described and in payment therefor The Atchison, Topeka and Santa Fe Railway Company proposes to transfer to Needles Gas & Electric Company a certain other parcel of land hereinafter described.

A hearing was held in the above entitled matter before Examiner Encell at Los Angeles on June 8, 1917. Decision in this matter has been held up at request of

applicant pending certain negotiations between the parties.

It is to be noted that any authority herein granted is permissive and not mandatory.

The parcel of land which the Needles Gas & Electric Company proposes to transfer is located some distance from its gas and electric plant and will be of more use to The Atchison, Topeka and Santa Fe Railway Company than to the Needles Company. The parcel of land to be transferred by The Atchison, Topeka and Santa Fe Railway Company to the Needles Gas & Electric Company in consideration of the transfer is a strip of land adjoining the present gas and electric plant of the Needles Company and will be of more benefit than that now owned by it.

It appears that the property has practically the same value and that it will be to the benefit of both utilities that the transfer be made.

O R D E R

Needles Gas & Electric Company having applied to this Commission for authority to transfer a certain parcel of land to The Atchison, Topeka and Santa Fe Railway Company and in consideration thereof to obtain from The Atchison, Topeka and Santa Fe Railway Company a certain parcel of land in the City of Needles, and a hearing having been held and the matter being ready for decision,

IT IS HEREBY ORDERED that Needles Gas & Electric Company be and the same is hereby authorized to transfer

to The Atchison, Topeka and Santa Fe Railway Company that parcel of land in the City of Needles described as follows:

"Beginning at a stone on the east boundary line of the southwest quarter of Section 29, Township 9 North, Range 23 East, San Bernardino Meridian, at a distance of 1343.4 feet north of the quarter section corner on the south boundary line of said section, this stone marking the boundary line of The California, Arizona and Santa Fe Railway Company's station grounds; thence north 88.5 feet more or less to a point 50 feet south of the southeast corner of Block 30, according to McWilliams Survey of Needles as per plat recorded in Book 13 of Maps, Page 18 of the Records of San Bernardino County; thence west to an intersection with the northeastern boundary line of said station grounds thence southeasterly to the place of beginning at said stone."

The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to transfer to the Needles Gas & Electric Company that certain parcel of land in the town of Needles described as follows:

"All that portion of the southwest quarter of the southeast quarter of Section 29, Township 9 North, Range 23 East S.B.M., in the City of Needles, County of San Bernardino, State of California, described as follows:

Commencing in the northeastern boundary line of the station grounds of The California, Arizona and Santa Fe Railway Company, 575.51 feet southeasterly along the said boundary line from a point 68.5 feet east of the northwest corner of said southwest quarter of the southeast quarter, said point of commencement being the southeast corner of land of said Needles Gas and Electric Company; thence north, along the east line of said land of the Needles Gas and Electric Company, 271.19 feet; thence east 32.9 feet; thence south, parallel to said east boundary line of land of Needles Gas & Electric Company, 329.52 feet, more or less, to said northeastern boundary line of station grounds; thence northwesterly along said northeastern boundary line of station grounds, 67.26 feet, more or less, to place of commencement, containing an area of 0.227 of an acre, more or less."

The order herein is upon the following conditions:

(1) The authority herein granted shall apply only to such transfer as shall have been made within 60 days from the date hereof.

(2) Within 10 days after said transfer is executed the Needles Gas & Electric Company shall file with the Commission a report stating the fact and date of delivery of said transfer, together with copy of deeds of transfer of said real property.

Dated at San Francisco, California, this 31st
day of October, 1917.

Max Thelen
H. W. Loveland
Alfred Gordon

Commissioners.