

ES.

DECISION NO. 5710.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF CALIFORNIA.

* * *

In the Matter of the Application of)
SAN FRANCISCO-OAKLAND TERMINAL RAILWAYS,)
a corporation, for an order authorizing)
the disposition of part of its property.)

APPLICATION NO. 3633.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER.

SAN FRANCISCO-OAKLAND TERMINAL RAILWAYS filed on August 20, in Application Number 3633 a supplemental petition wherein it reports that none of the property described in Decision Number 5262, dated April 2, 1918, has been transferred for the reason that when applicant began to prepare quit-claim deeds the description of the property to be quit-claimed by it and the description of the property to be received by it was as to exact metes and bounds improperly described in the original application and correspondingly in the order of the Commission; that applicant does not intend to exercise any authority granted by the Commission in Decision Number 5262 dated April 2, 1918; that as set forth in the original application there is some confusion with reference to the boundary line between the property of applicant in the Alpine Tract situated in the City of Oakland, Alameda County, State of California and the property of The Remar Company in the Alden Tract situated in the Town of Emeryville, County of Alameda, State of California;

that in order to make certain this boundary line applicant has agreed to transfer certain property to The Remar Company and The Remar Company has agreed to transfer certain property to applicant; that the property which applicant desires to transfer consists of the following:

"All those certain lots, pieces or parcels of land situate, lying and being in the City of Oakland and in the Town of Emeryville, County of Alameda, State of California, bounded and particularly described as follows, to-wit:

Commencing at a point on the southeasterly line of Adeline Street, North $16^{\circ} 21'$ E. Three hundred thirty and $17/100$ (330.17) feet from its intersection with the northern line of 46th Street, as said Adeline Street and said 46th Street are shown upon that certain map entitled "Map of the Alden Tract" etc. hereinafter referred to; thence South $53^{\circ} 17' 30''$ East One hundred eighty-six and $88/100$ (186.88) feet to the intersection of the northern line of Alpine Street (now known as 52nd Street) and the center of Temescal Creek as shown on "Map of Alpine Tract" etc. hereinafter referred to; thence North $80^{\circ} 24'$ East along the northerly line of 52nd Street Eight and $18/100$ (8.18) feet to the boundary line of Lot 5 as per meander notes of Temescal Creek for the Alden Tract October 31st 1868; thence along said boundary line South $2^{\circ} 30'$ East Ten and $17/100$ (10.17) feet; thence South $49^{\circ} 00'$ East One and $90/100$ (1.90) feet to its intersection with the western line of Linden Street; thence South $10^{\circ} 58'$ West along said line of Linden Street thirty-nine and $56/100$ (39.56) feet to its intersection with the southern line of Lot 5 in Block 2115 of the Alden Tract; thence North $79^{\circ} 02'$ West One hundred ninety-two and $12/100$ (192.12) feet along the southern line of Lots 5 and 6 in said Block 2115 to the southeasterly line of Adeline Street; thence along said line of Adeline Street North $16^{\circ} 21'$ East One hundred twenty-nine and $28/100$ (129.28) feet to the point of commencement.

Being portions of Lots 5 and 6 in Block 2115 as said Lots and Block are laid down, delineated and so designated upon that certain map entitled "Map of the Alden Tract at Temescal" etc. filed Dec. 10th 1869, in the office of the County Recorder of said County of Alameda.

Also being a portion of Lot numbered 1 in Block lettered "B" as said Lot and Block are laid down, delineated and so designated upon that certain map entitled "Map of the Alpine Tract Oakland Township Alameda County California" etc. filed April 10th 1895 in the office of the County Recorder of said County of Alameda."

that the property which The Remar Company desires to transfer to applicant consists of the following:

"All those certain lots, pieces or parcels of land situate, lying and being in the City of Oakland, and in the Town of Emeryville, County of Alameda, State of California, bounded and particularly described as follows, to wit:

Commencing at a point on the southeasterly line of Adeline Street, North $16^{\circ} 21'$ East Three hundred thirty and $17/100$ (330.17) feet from its intersection with the northern line of 46th Street, as said Adeline Street and said 46th Street are shown upon that certain map entitled "Map of the Alden Tract" etc. hereinafter referred to; thence South $53^{\circ} 17' 30''$ East One Hundred eight-six and $88/100$ (186.88) feet to the intersection of the northern line of Alpine Street (now known as 52nd Street) and the center of Temescal Creek as shown on "Map of the Alpine Tract" etc. hereinafter referred to; thence North $80^{\circ} 24'$ East along the northern line of 52nd Street Seventy (70) feet to the most southern corner of Lot No. 29 in Block lettered "B" of the Alpine Tract; thence North $9^{\circ} 36'$ West along the western line of said Lot No. 29 and the western line of Lot No. 4 in said Block "B" One hundred eighty (180) feet to the northeastern corner of Lot No. 1 in said Block lettered "B"; thence South $80^{\circ} 24'$ West along the northern line of said lot No. 1 One hundred seventy-seven and $27/100$ (177.27) feet to the southeastern line of Adeline Street; thence South $16^{\circ} 21'$ West along said line of Adeline Street Forty-nine and $88/100$ (49.88) feet to the point of commencement.

Being a portion of Lot Number 1 in Block lettered "B" as said lot and block are laid down, delineated and so designated on that certain map entitled "Map of the Alpine Tract Oakland Township Alameda County California" etc. filed April 10th, 1895, in the office of the County Recorder of said County of Alameda.

Also being a portion of Block 2115 as said block is laid down, delineated and so designated upon that certain map entitled "Map of the Alden Tract at Temescal" etc. filed Dec. 10th, 1869, in the office of the County Recorder of said County of Alameda."

And applicant having asked authority to make said exchange of property and it appearing to the Railroad Commission that the supplemental application should be granted and that this

is not a case in which a public hearing is necessary:

IT IS HEREBY ORDERED that the supplemental application herein be, and the same is hereby, granted, provided that the authority herein granted shall apply only to such transfers as are made on or before December 30, 1918; and provided further that applicant shall file with the Commission within ten (10) days after the transfer of the properties herein authorized, a copy of the quit-claim deeds referred to herein.

Dated at San Francisco, California, this 26th
day of August, 1918.

Edwin O. Edgerton
H. S. K. ...
Alex. Gordon

Commissioners.