

ORIGINAL

Decision No. 5739.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

---ooOoo---

In the Matter of the Application of)
THE ATCHISON, TOPEKA AND SANTA FE)
RAILWAY COMPANY, a corporation, the)
SANTA FE LAND IMPROVEMENT COMPANY, a)
corporation, the SOUTHERN PACIFIC)
RAILROAD COMPANY, a corporation, and)
the SOUTHERN PACIFIC COMPANY, a corpora-)
tion, for an order authorizing the sale)
by The Atchison, Topeka and Santa Fe)
Railway Company and the Santa Fe Land)
Improvement Company to the Southern)
Pacific Railroad Company, and the pur-)
chase by the Southern Pacific Railroad)
Company from The Atchison, Topeka and)
Santa Fe Railway Company and the Santa)
Fe Land Improvement Company of an undi-)
vided one-half interest in that certain)
property in the City of Vernon, County)
of Los Angeles, State of California,)
hereinafter described.)

Application Number 4026

M.W. Reed, for applicants.

LOVELAND, Commissioner.

O P I N I O N.

This is a joint application by The Atchison, Topeka and Santa Fe Railway Company, Santa Fe Land Improvement Company, Southern Pacific Railroad Company and Southern Pacific Company for the sale by the two first mentioned corporations to the Southern Pacific Railroad Company of an undivided one-half interest in and to a certain parcel of land and certain railroad tracks located in the City of Vernon, Los Angeles County. The transfer is to be made pursuant to the terms of an agreement dated November 9, 1917, attached to the application and marked Exhibit "A".

The land in which under the agreement an undivided

one-half interest is to be transferred consists of a strip 31 feet in width north and south and 2475 feet in length east and west, extending from Santa Fe Avenue to the right of way of the Southern Pacific Railroad Company. The railroad tracks in which an undivided one-half interest is to be transferred are located on the land. Both the land and the tracks are more specifically described in the order herein. The Southern Pacific Railroad Company has agreed to pay \$7,480.71 for the properties. After their acquisition the properties will be operated by the Southern Pacific Company.

The testimony shows that the tracks in question serve a plant of the American Can Company. It is for the purpose of gaining access to this plant that the Southern Pacific Railroad Company has agreed to purchase the one-half interest in the properties. I am satisfied that the transfer of the properties is to the advantage of the public and that the application should be granted.

I herewith submit the following form of Order.

O R D E R.

An application having been filed with the Railroad Commission in which The Atchison, Topeka and Santa Fe Railroad Company and the Santa Fe Land Improvement Company ask authority to transfer an undivided one-half interest in a certain parcel of land and railway tracks hereinafter described to the Southern Pacific Railroad Company, the properties after such transfer to be operated by the Southern Pacific Company, a public hearing having been held and the Commission being of the opinion that this application should be granted;

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company and the Santa Fe Land Improvement Company be, and the same are hereby authorized to sell and convey to the Southern Pacific Railroad Company in accordance with the terms and conditions

of an agreement dated November 9, 1917, attached to the petition herein and marked Exhibit "A", an undivided one-half interest in and to that certain parcel of land situated in the northwest quarter of Section 15, Township 2 South, Range 13 West, S.B.M., in the City of Vernon, County of Los Angeles, State of California, described as follows:

"A parcel of land 31 feet in width north and south by about 2475 feet in length east and west; bounded on the east by the west line of Santa Fe Avenue; on the south by the north line of Lots 2 and 3 of Tract 2633, as per Map Book 27, page 45, Los Angeles County Records, as said north line of Lots is defined by stakes in the ground; on the west by the eastern line of the right of way of the Southern Pacific Railroad Company and on the north by a line parallel with and 31 feet north of said north line of Tract 2633; excepting therefrom the south 11.9 feet of the west 30 feet; containing an area of 1.75 acres, more or less."

also an undivided one-half interest in those certain railroad tracks shown in red upon Exhibit "A" attached to the agreement of sale and more particularly described as follows:

"A main lead track of an approximate length of 2456 feet; a turnout tract of an approximate length of 131.3 feet; and a second turnout track of an approximate length of 17.3 feet."

Provided that within ninety (90) days after the date hereof the Southern Pacific Railroad Company file with the Railroad Commission a verified copy of the instrument of conveyance; and provided further that the purchase price of the properties

herein authorized to be transferred will never be urged by applicants herein as a measure of value of said properties for rate-fixing or any purpose other than the transfer of the properties authorized in this proceeding.

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

7th day of September, 1918.

Edwin J. Edgerton
H. J. Howard
Alex. Gordon
Frank R. Colver

Commissioners.