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Decision No. 9688

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
the HUMBOLDT TRANSIT COMPANY, a
Corporation, for an order permitting
it to discontinue its service and to
sell its operative properties to the
City of Eureka, a Municipal Corporation.)

Application
Number
7227.

ORIGINAL

Myrick and Deering and Scott, for Applicant.

BENEDICT, Commissioner.

O P I N I O N

HUMBOLDT TRANSIT COMPANY, in this proceeding, asks permission to sell for the sum of \$75,000.00 all of its operative properties to the City of Eureka and to discontinue the operation of its street railway.

It appears from the record that at an election held on the 20th day of June, 1921, the electors of the City of Eureka authorized a bonded indebtedness in the sum of \$130,000.00 for the acquisition, construction and completion of a certain revenue producing public improvement, to-wit, a street railroad, including the acquisition of the street car system of the Humboldt Transit Company, together with the appurtenances thereof and all other property used in connection with the same, including also the purchase of additional equipment for the said street car system.

At the election 2514 votes were cast in favor, and 446 against the authorized bonded debt of \$130,000.00.

The record shows that the Humboldt Transit Company has offered to sell its operative properties to the City of Eureka for the sum of \$75,000.00. This offer has been accepted by the city.

Applicant has defaulted in the payment of its bond interest. Applicant's financial condition is set forth in Decision Number 9020, dated May 28, 1921, in Application Number 6727. On October 15, 1921 the Superior Court in and for the County of Humboldt made an order directing ^{that} the properties of the Humboldt Transit Company be sold on December 19, 1921. It is the intention of the City of Eureka to acquire the operative properties at such sale. It is believed that the nonoperative properties will be acquired by an individual or a committee representing the bondholders.

I am satisfied that this application should be granted and submit the following form of order:-

O R D E R

HUMBOLDT TRANSIT COMPANY, having applied to the Railroad Commission to sell all of its operative properties to the City of Eureka and discontinue service, a public hearing having been held and the Commission being of the opinion that this application should be granted,

IT IS HEREBY ORDERED that HUMBOLDT TRANSIT COMPANY be, and it is hereby, authorized to sell on or before February 1, 1922, to the City of Eureka for \$75,000.00, all of its operative properties, and to discontinue the operation of its street railway system.

IT IS HEREBY FURTHER ORDERED that HUMBOLDT TRANSIT COMPANY shall file with the Commission within 30 days after the transfer of the properties herein authorized, a copy of the deed under

which title to the properties is transferred to the City of Eureka.

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 31st day of October, 1921.

H. B. Underage
J. D. Loveland

Quinn Martin
Charles H. Brown
H. H. Benedict

Commissioners.