

Decision No. 29066

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SOUTHERN PACIFIC COMPANY and PACIFIC)
GAS AND ELECTRIC COMPANY for an order)
authorizing Southern Pacific Company)
and Pacific Gas and Electric Company)
to exchange certain lands, all in the)
City of San Jose, County of Santa)
Clara, State of California.)

Application No. 20698

BY THE COMMISSION:

ORIGINAL

ORDER

The Commission is asked to authorize Southern Pacific Company and Pacific Gas and Electric Company to exchange certain parcels of land situate in the City of San Jose. The parcels of land to be exchanged are described in detail in applicants' petition and in Exhibit A attached hereto and made a part hereof. The market value of each company's parcels of land to be exchanged is reported at \$3,500.00.

The parcels of land owned by Pacific Gas and Electric Company and referred to herein, according to the record, are situate adjacent to the new station building of the Southern Pacific Company at San Jose. In order to permit of the construction of a more satisfactory driveway to said station, and afford a general parking area, as well as to permit of consolidation of properties of Southern Pacific Company and thereby obtain additional area for station trackage, it is necessary that Southern Pacific Company acquire the parcels of land owned by the Pacific Gas and Electric Company and referred to herein.

The parcels of land owned by the Southern Pacific Company and referred to herein are said to be required by the Pacific Gas and Electric Company in order to provide a more satisfactory location for its power lines in the vicinity of the new station building of the Southern Pacific Company at San Jose.

The Commission has considered applicants' request and is of the opinion that this is not a matter in which a public hearing is necessary and that this application should be granted, therefore,

IT IS HEREBY ORDERED that the Southern Pacific Company and the Pacific Gas and Electric Company be, and they hereby are authorized to transfer and exchange, on or before December 31, 1936, the parcels of land described in Exhibit A attached hereto and made a part hereof, and execute deeds similar in form to the deeds filed in this proceeding as Exhibit B and Exhibit C.

DATED at San Francisco, California, this 17th day of August, 1936.

W B Harris
Leon O. Hildreth
M. A. Cunn
Walter H. Hays
Greene R. Williams
Commissioners.

EXHIBIT A

I. Parcels of land now owned by Southern Pacific Company--

"Those certain parcels of land, situate, lying and being, in the City of San Jose, County of Santa Clara, State of California, and more particularly described as follows, to-wit:

PARCEL #1:

That certain parcel of land bounded by a line which begins at a point in the southerly boundary line of San Fernando Street distant thereon 230.27 feet westerly from the intersection thereof with the westerly boundary line of Montgomery Street, said point being the northeast corner of the parcel of land conveyed by Roy Elliott to Southern Pacific Company by deed dated June 17, 1908, and recorded in Book 405 of Deeds at page 5, records of said Santa Clara County, and running thence south 2 degrees 55 minutes east, along the easterly boundary line of said parcel of land conveyed by said deed dated June 17, 1908, 204.19 feet; thence south 87 degrees 09 minutes west, parallel with the southerly boundary line of San Fernando Street, 69.8 feet to a point in the easterly boundary of the parcel of land described and designated (d) in the deed, executed by Electric Improvement Company of San Jose to United Gas and Electric Company, dated June 19, 1902, and recorded in Book 252 of Deeds at page 526, records of said Santa Clara County; thence northerly, along the last mentioned boundary line, 48.4 feet to the northeast corner of said parcel of land designated (d) in said deed dated June 19, 1902; thence north 87 degrees 09 minutes east 39.8 feet to a point distant 30.0 feet westerly from (measured parallel with the southerly boundary line of San Fernando Street) the easterly boundary line of said parcel of land conveyed by said deed dated June 17, 1908; thence north 2 degrees 55 minutes west 155.79 feet to a point in the southerly boundary line of San Fernando Street; thence north 87 degrees 09 minutes east, along the southerly boundary line of San Fernando Street, 30.0 feet, more or less, to the point of beginning.

PARCEL #2:

All that certain piece or parcel of land being a portion of Lot 9 of the Otterson Subdivision in the Los Coches Rancho, according to a map of said Subdivision, as recorded in Book "B" of Maps at page 35, Records of said County of Santa Clara, more particularly described as follows:

BEGINNING at a point on the southerly line of Otterson Street, as shown on said map, distant westerly thereon 322.65 feet from the westerly line of Montgomery Street (formerly known as and called East Street); thence westerly along said southerly line of Otterson Street, 27.35 feet to the northwest corner of said Lot 9; thence southerly along the westerly line of said Lot 9, a distance of 105 feet to the southwest corner of said Lot 9; thence easterly, along the southerly line of said Lot 9; a distance of 27.35 feet to a point; thence northerly parallel with said westerly line of said Lot 9, a distance of 105 feet to the point of beginning, containing an area of 2872 square feet, more or less."

EXHIBIT A- Page 2

II. Parcels of land now owned by the Pacific Gas and Electric Company--

"Those certain parcels of land situate, lying and being in the City of San Jose, County of Santa Clara, State of California, more particularly described as follows, to-wit:

PARCEL #1:

That certain parcel of land bounded by a line which begins at a point in the southerly boundary line of San Fernando Street at the northwest corner of the parcel of land conveyed by Roy Elliot to Southern Pacific Company by deed dated June 17, 1908, and recorded in Book 405 of Deeds at page 5, records of said Santa Clara County, and runs thence southerly along the westerly boundary line of said parcel of land conveyed by said deed dated June 17, 1908, 156 feet to a point in the northerly boundary line of the parcel of land described and designated(d) in that certain deed, executed by Electric Improvement Company of San Jose, to United Gas and Electric Company, dated June 19, 1902, and recorded in Book 252 of Deeds at page 526, Records of said Santa Clara County; thence westerly, parallel with the southerly boundary line of San Fernando Street, 40 feet to a point in the southerly prolongation of the easterly boundary line of the parcel of land conveyed by Frank T. Poore to Southern Pacific Company by deed dated December 16, 1909, and recorded in Book 401 of Deeds at page 583, records of said Santa Clara County; thence northerly, along the last mentioned prolongation and boundary line, 156 feet to a point in the southerly boundary line of San Fernando Street; thence easterly along the southerly boundary line of San Fernando Street, 40 feet, more or less, to the point of beginning, being those certain premises conveyed by Susan E. Horsam to The Standard Electric Company of California by deed dated August 7, 1900, and recorded in Book 232 of deeds at page 255, records of said Santa Clara County.

PARCEL #2:

That certain parcel of land bounded by a line which begins at the southwest corner of the parcel of land hereinbefore described and designated Parcel #1 and runs thence westerly, parallel with the southerly boundary line of San Fernando Street, to a point distant 13.39 feet easterly from (measured parallel with the southerly boundary line of San Fernando Street) the easterly boundary line of the strip of land conveyed by Bernard McGarry to South Pacific Coast Railroad Company by deed dated February 6, 1877, and recorded in Book 44 of Deeds at page 421, Records of said Santa Clara County; thence southerly, in a direct line, to a point in the westerly boundary line of Lot 10, as said lot is delineated and so designated upon that certain map of the Otterson Tract recorded in Book B of Maps at page 35, records of said Santa Clara County, distant thereon 82.08 feet southerly from the northwest corner of said Lot 10; thence northerly, along the westerly boundary line of said Lot 10, 82.08 feet to the northwest corner of said Lot 10; thence easterly, along the northerly boundary line of said Lot 10, 11 feet to a point in the easterly boundary line of said strip of land conveyed by said deed dated February 6, 1877; thence northerly, along the last mentioned boundary line, to a point distant thereon 148.0 feet

EXHIBIT A- Page 3

"southerly from the southerly boundary line of San Fernando Street; thence easterly, parallel with the southerly boundary line of San Fernando Street, to a point in the westerly boundary line of the parcel of land hereinbefore described and designated Parcel #1; thence southerly, along the last mentioned boundary line, 7.79 feet, more or less, to the point of beginning.

PARCEL #3:

BEGINNING at the southwesterly corner of Lot 10 of the Otterson Subdivision in the Los Coches Rancho, a map of which is filed for record in Book "B" of Maps, page 35, Records of said County of Santa Clara, said point being the southeasterly corner of land conveyed by Agnes Otterson to South Pacific Coast Railroad Company by deed dated December 29, 1876, and recorded February 21, 1877 in Book 44 of Deeds, page 373, records of said County of Santa Clara; thence North 2° 17' 30" West along the westerly line of said Lot 10 (being also the easterly line of land described in said deed Agnes Otterson to South Pacific Coast Railroad Company) 144.120 feet to a point distant South 2° 17' 30" East, 82.08 feet measured along said westerly line of Lot 10 from the northwest corner thereof; thence North 6° 10' 30" East 98.578 feet along a line, the northeasterly prolongation of which passes through a point distant 155.79 feet southerly measured at right angles from the southerly line of San Fernando Street produced westerly, and 13.39 feet easterly (measured parallel with the southerly boundary line of San Fernando Street) from the easterly boundary line of the strip of land conveyed by Bernard McGarry to South Pacific Coast Railroad Company by deed dated February 6, 1877, and recorded in Book 44 of Deeds at page 421, records of said Santa Clara County; thence south 2° 26' 05" East along the westerly building line (produced) of the Pacific Gas and Electric Company's Substation "A", a distance of 241.461 feet to a point on the southerly line of said Lot 10; thence South 87° 04' 30" West, along the southerly line of said Lot 10, a distance of 15.118 feet to the point of beginning, containing an area of 2872 square feet, more or less."