

Decision No. 28744.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
PACIFIC ELECTRIC RAILWAY COMPANY for  
authority to discontinue its station  
building at Van Nuys, abandon spur  
tracks, and sell property at Van Nuys.

Application No. 20578.

ORIGINAL

BY THE COMMISSION:

SUPPLEMENTAL ORDER AND ORDER DISMISSING  
PETITION FOR REHEARING

The Order in Decision No. 29314, dated November 30, 1936,  
reads in part as follows:

"\*\*\* IT IS HEREBY FURTHER ORDERED that Application No.  
20578 in so far as it applies to the sale of applicant's  
property located at the intersection of Friar Street and  
Van Nuys Boulevard, and the spur track serving the Van  
Nuys Grain and Feed Company, located on said property in  
Van Nuys, City of Los Angeles, County of Los Angeles,  
California, be denied."

Applicant, on December 16, 1936, filed its Petition for  
Rehearing with respect to the above portion of said Decision No.  
29314. The Commission, on January 4, 1937, issued its Order Grant-  
ing Rehearing, and on January 12, 1937, removed the matter from its  
calendar.

Protestant, Van Nuys Grain & Feed Company, on April 23,  
1937, advised the Commission, in writing, that it had entered into  
an agreement with applicant whereby said spur track would no longer  
be necessary and that it was withdrawing its protest to the sale of  
said property and the removal of said spur track.

After a review of the entire record in this proceeding,  
including the removal of the protest of Van Nuys Grain & Feed  
Company, the only protestant, it appears that a rehearing is un-  
necessary and that the relief originally sought should be granted,  
therefore,

IT IS HEREBY ORDERED that:

I. That portion of the Order in Decision No. 29314, quoted above, is hereby amended to read as follows:

" IT IS HEREBY FURTHER ORDERED that:

A. Pacific Electric Railway Company is authorized to sell that certain parcel or parcels of property situated at or near the intersection of Van Nuys Boulevard and Friar Street, Van Nuys, in the City of Los Angeles, California, more specifically described in the application and as shown by the map (Drawing No. C.E.9991) attached thereto and made a part thereof, subject, however, to the following conditions:

- (1) Applicant shall, within thirty (30) days thereafter, notify the Commission, in writing, of the completion of the property transfer herein authorized and of its compliance with the conditions hereof.
- (2) The authorization herein granted shall not be construed as a determination of the value of the property for any purpose other than the transfer herein authorized.
- (3) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof, unless further time is granted by subsequent order.

B. Pacific Electric Railway Company is hereby authorized to abandon and remove its spur track serving Van Nuys Grain & Feed Company and located at or near the intersection of Van Nuys Boulevard and Friar Street, Van Nuys, in the City of Los Angeles, County of Los Angeles, California, and as more definitely shown in red on the map (Drawing No. C.E. 9991) attached to and made a part of the application, subject to the following conditions:

- (1) Upon the removal of that portion of said spur track occupying a public street or streets, applicant shall repair the roadway of said street or streets to conform to the remainder thereof.

- (2) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the abandonment of the facilities authorized herein and of its compliance with the conditions hereof.
- (3) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof, unless further time is granted by subsequent order."

II. The Order Granting Rehearing is hereby vacated and the Petition for Rehearing is hereby dismissed.

In all other respects Decision No. 29314 shall remain in full force and effect.

Dated at San Francisco, California, this 10<sup>th</sup> day of May, 1937.

Walter L. Brown  
Leon G. Whelan  
James R. Brown  
Frank A. Whelan  
Ray & Alley  
Commissioners