

Decision No. 29815

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SOUTHERN CALIFORNIA FREIGHT LINES, }
for an order authorizing it to execute } Application No. 21173
a lease of real estate. }

H. J. Bischoff, for applicant.

BY THE COMMISSION:

O P I N I O N

ORIGINAL

Southern California Freight Lines asks permission to lease from B. G. Showley lots "D" and "I" in Block 139, Horton's Addition, in the City of San Diego.

The lots have an area of 10,000 square feet. Applicant has been leasing them on a month to month basis at a rental equal to the county and city taxes assessed against them. It has used them to store some of its motor equipment.

Applicant now proposes to lease the said lots for a period of five years beginning with May 1, 1937 and ending April 30, 1942. It agrees to pay all state, county and city taxes assessed against them. Applicant reserves the right to cancel the lease at any time upon giving 90 days notice, while B. G. Showley reserves the right to cancel the lease upon 90 days notice in the event he makes a bona fide sale of the lots, provided he has given applicant the opportunity to purchase the lots at the same price and upon the same terms he proposes to sell them to others.

We have considered applicant's request and do not believe that the agreement constitutes an evidence of indebtedness coming within the meaning of Section 52 of the Public Utilities Act. We therefore believe that this application should be dismissed without prejudice.

O R D E R

The Commission having considered applicant's request and being of the opinion that this is not a matter on which a hearing is

necessary and that this application should be dismissed without prejudice, therefore,

IT IS HEREBY ORDERED that the above entitled application be, and the same is hereby, dismissed without prejudice.

DATED at San Francisco, California, this 1st day of

June, 1937.

Leon A. White
James R. White
Raymond White
Ray & Alcy
Commissioners.