

Decision No. 32187

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of Application of The Atchison, Topeka and Santa Fe Railway Company; The Western Pacific Railroad Company and T. M. Schumacher and Sidney M. Ehrman, Trustees of the properties of The Western Pacific Railroad Company, Debtor; and Southern Pacific Company and Southern Pacific Railroad Company to sell to Stockton Port District a certain railroad track located in San Joaquin County, California.

ORIGINAL

Application No. 22854

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company; The Western Pacific Railroad Company and T. M. Schumacher and Sidney M. Ehrman, Trustees of the properties of The Western Pacific Railroad Company, Debtor; and Southern Pacific Company and Southern Pacific Railroad Company on July 12, 1939, applied for authority to sell to Stockton Port District a certain railroad track running to Rough and Ready Island, San Joaquin County, all of which is shown on the map, Exhibit "A," attached to the application.

It appears that a public hearing is not necessary herein and that the application should be granted, therefore

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company; the Western Pacific Railroad Company and T. M. Schumacher and Sidney M. Ehrman, Trustees of the properties of The Western Pacific Railroad Company, Debtor; and Southern Pacific Company and Southern Pacific Railroad Company are hereby authorized to sell to Stockton Port District that certain railroad track described as Track No. 1 in the application and as shown by the map, Exhibit "A," attached thereto, subject to the following conditions:

- (1) Applicants shall, within one hundred and twenty (120) days hereafter, file with the Commission a certified copy of a deed or indenture covering said transfer.
- (2) Applicants 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.
- (3) 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.
- (4) 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.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 25th day of
July, 1939.

Laurel W. Brown
Frank DeWitt
Carl Riley
H. H. H.
Justice J. Casper