

Decision No. 32284

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the	}	Application
LOS ANGELES RAILWAY CORPORATION		
for an order pursuant to Section 51a of	}	No.
the Public Utilities Act authorizing it		
to exchange certain property with the		
City of Los Angeles.	}	22925

BY THE COMMISSION:

OPINION AND ORDER

In this application Los Angeles Railway Corporation has requested the Railroad Commission to make an order authorizing it to quitclaim certain real property, described in the application as Parcel "B", to the City of Los Angeles in exchange upon an even basis for the fee title to certain other real property described as Parcel "A", all as hereinafter set forth.

It is recited in the application that Los Angeles Railway Corporation owns a private right of way approximately two miles in length lying between the north and south roadways of Santa Barbara Avenue and extending from Figueroa Street to Leimert Boulevard, in the City of Los Angeles, upon which it has constructed, and now operates, double track electric street railway lines. Its title to portions of the right of way consists of the fee and to other portions consists of permanent and exclusive easements for street railway purposes, according to the application.

The properties referred to, including the right of way itself and the street railway lines and appurtenances, are subject to the

lien of the trust indentures to the Title Insurance and Trust Company, Trustee, and to Bank of America National Trust and Savings Association, Trustee.

The portion of the right of way extending from Vermont Avenue to Brighton Avenue is not centered between the north and south curb lines of Santa Barbara Avenue. The City of Los Angeles has asked applicant to center the same, but applicant has advised the city that it could not grant the request because to do so would necessitate the surrender by it of a strip approximately thirteen and one-half feet wide along the south side of the right of way for the entire distance from Vermont Avenue to Brighton Avenue, which could not be done under the terms of its trust indentures unless the full market value thereof had been received.

Upon being so advised, the city then offered to take the necessary proceeding to transfer to applicant so much of the north roadway of Santa Barbara Avenue as would be necessary to permit the centering of the right of way in exchange, upon an even basis, for so much of applicant's right of way adjacent to the south roadway as would not be needed for right of way purposes after the right of way was so centered. The city has agreed to pay all costs of relocating applicant's facilities in the newly centered right of way.

This proposal was acceptable to applicant and accordingly this application has been filed with the Commission. The Commission has considered the matter and is of the opinion that a public hearing is not necessary and that the request of applicant should be granted, therefore,

IT IS HEREBY ORDERED, that Los Angeles Railway Corporation be, and it hereby is authorized to quitclaim to the City of Los Angeles its right, title and interest in and to that portion of its right of

way along Santa Barbara Avenue extending from Vermont Avenue to Brighton Avenue described in this application as Parcel "B" in exchange, upon an even basis, free and clear of all liens and encumbrances, for the fee title to the real property described in the application as Parcel "A".

The authority herein granted shall become effective upon the date hereof.

DATED at San Francisco, California this 20th day of August, 1939.

Robert A. Brown
George D. Brown

Justus J. Brown
COMMISSIONERS