

Decision No. 35120.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHERN PACIFIC RAILROAD COMPANY and its Lessee, SOUTHERN PACIFIC COMPANY, for authority to issue to the City of Los Angeles, a municipal corporation of the State of California, a quitclaim deed covering certain land at Wilmington, in the City of Los Angeles, County of Los Angeles, State of California, containing an area of 28.3687 acres, more or less, to sell and convey to the American Lumber & Treating Company, a corporation, two (2) parcels of land aggregating 1.84 acres, more or less, including lumber treating plant located upon the above mentioned land, and oil pipe line from Berth 187 to said lumber treating plant, and to grant to the American Lumber & Treating Company easement for private roadway purposes over an additional parcel of land at Wilmington.

Application No. 24769.

BY THE COMMISSION:

O R D E R

In the above entitled proceeding Southern Pacific Railroad Company and its lessee, Southern Pacific Company, seek authority to issue to the City of Los Angeles a quitclaim deed covering certain land at Wilmington in the harbor area, containing an area of 28.3687 acres, more or less; to sell to the American Lumber and Treating Company two parcels of land aggregating 1.84 acres, more or less, including a lumber treating plant located upon said land and an oil pipe line from Berth 187 to said treating plant; and to grant to the American Lumber and Treating Company an easement for private roadway purposes over an additional parcel of land at Wilmington.

Applicants allege that the land and the treating plant located thereon are no longer necessary for railroad purposes, since they have adequate facilities for the treatment of timber at other locations more strategically located in the western area.

Further than this, the plant has been privately operated by the American Lumber and Treating Company under a lease from applicants since January 1, 1935.

It appears that this is not a matter in which a public hearing is necessary and that the application should be granted; therefore,

IT IS HEREBY ORDERED that applicants are hereby authorized:

I. To issue to the City of Los Angeles a quitclaim deed covering parcel of land at Wilmington in the City of Los Angeles, containing an area of 28.3687 acres, more or less, as shown in yellow on the map (Drawing C-397), attached to the application, reserving, however, the improvements consisting of lumber treating plants, equipment, trackage, etc., owned by applicants, now located upon said land, and also reserving the right to continue to exercise the rights conferred upon applicants by virtue of the Harbor Belt Line Railroad agreement dated February 1, 1926, between the City of Los Angeles, Southern Pacific Railroad Company, Southern Pacific Company, Pacific Electric Railway Company, Los Angeles and Salt Lake Railroad Company and The Atchison, Topeka and Santa Fe Railway Company, now existing on any of said land.

II. To issue to the City of Los Angeles or to the American Lumber and Treating Company a quitclaim deed or other conveyance conveying all of applicants' right, title and interest in and to easement for an oil pipe line, together with said pipe line from Berth 187 to said lumber treating plant..

III. To sell to the American Lumber and Treating Company, a corporation, two parcels of land at Wilmington containing a total area of 1.84 acres, more or less, as shown in yellow tint on the map (Drawing C-397), attached to the application.

IV. To issue to the American Lumber and Treating Company a bill of sale transferring and assigning to the treating company all of

applicant's right, title and interest in and to the improvements located upon all of the above mentioned property, which is proposed to be thereafter operated by the treating company as a privately operated lumber treating plant.

V. To grant to the American Lumber and Treating Company an easement for a private roadway over a parcel of land at Wilmington containing an area of 10,398 square feet, as shown in tinted red on the map (Drawing C-397), attached to the application.

IT IS HEREBY FURTHER ORDERED that Southern Pacific Company shall within thirty (30) days after the exercise of the authority herein granted file with the Railroad Commission a true and correct copy of every quit claim deed or other instrument of conveyance executed by applicants to convey the properties referred to in this order.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall become effective upon the date hereof and that said authority shall lapse and become void if not exercised within one year from the date hereof, unless further time is granted by subsequent order.

Dated at San Francisco, California, this 10th day of March, 1942.

Justin F. Cullen
Ray L. Riley

Francis D. Havenner
Richard L. Lucas
Commissioners