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ORIGINAL

Decision No. 45880

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
THE WESTERN PACIFIC RAILROAD COMPANY,)	
a corporation, for authority to sell)	Application No. 32495
certain San Francisco real property)	
to the STATE OF CALIFORNIA)	

ORDER

As a part of the project of the State Department of Public Works to extend the Bayshore Freeway in the City and County of San Francisco, including the construction of the Division Street interchange, the State requires certain operative property of The Western Pacific Railroad Company in the vicinity of Division Street and San Bruno Avenue.

The Western Pacific Railroad Company has accordingly filed application with this Commission (Under Section 51A of the Public Utilities Act) for authority to carry out this transfer. It is proposed to retain easement for railroad purposes across the three parcels covered by the sale.

The original cost of the property to be sold when acquired in 1906 was \$122,807.51 and the State of California has agreed to pay applicant a purchase price of \$153,808.00 which is alleged to be the present fair value of the property exclusive of the railroad easement. It appears that the sale of the property will not be adverse to the public interest and that the application should be granted subject to certain conditions. Therefore, good cause appearing,

IT IS HEREBY ORDERED that the Western Pacific Railroad Company is authorized to sell to the State of California, in accordance with the terms of the proposed deed, a copy of which is

attached to the application (Exhibit C), these certain properties described therein and shown by the map accompanying the application (Exhibit A) subject 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 herein authorized to be transferred.
- (3) This authorization shall lapse and become void if not exercised within one (1) year from the date hereof.

Since the state has received bids for construction of the "Division Street Interchange" and is about to let a contract, it will require immediate possession of the property with which this application is concerned. Applicant has accordingly requested that this order be made effective immediately.

For this reason the effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 21st day of January 1951.

R. F. Zimmerman
Justus F. Casper
Harold Hill
Samuel F. Potter
John L. Whitehill
COMMISSIONERS