## 50608



Decision No. \_\_\_\_

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ) THE PACIFIC TELEPHONE AND TELEGRAPH ) COMPANY, a corporation, for authority ) to sell certain real property located ) in the town of Emeryville, Alameda ) County, California to Shell ) Development Company. )

Application No. 35811

## OPINION AND ORDER

By the above-entitled application filed with the Commission on September 24, 1954, The Pacific Telephone and Telegraph Company seeks authority, under Section 851 of the Public Utilities Code, to sell certain real property located in the town of Emeryville, Alameda County, to Shell Development Company for the sum of \$235,000, in accordance with the terms set forth in the proposed agreement attached to the application as Exhibit A.

The application shows that applicant owns a parcel of land in Emeryville, California, comprising approximately 72,300 square feet on which is located a one-story building containing approximately 24,000 square feet of floor area. This property is utilized by applicant as a garage and storage yard. Applicant's parcel of land in Emeryville is described as follows:

> Beginning at the intersection of the northeasterly line of Houton Street with the northwesterly line of 53rd Street (formerly Santa Fe Avenue); thence along the northwesterly line of 53rd Street North 72° 28' East 120.50 feet; thence North 17° 32' West and parallel with the northeasterly line of Horton Street 200 feet; thence South 72° 28' West 10 feet; thence North 17° 32' West 474.50 feet to the southeasterly line of the right-of-way of Southern Pacific Railway Company's Berkeley Branch; thence southwesterly along the right-of-way line on a curve to the left, with a radius of 1645.31 feet and a central angle of 3° 10' 6", a distance of 90.988 feet; thence continuing southwesterly along the

> > -1-

ΕT

right-of-way line on a compound curve to the left, with a radius of 754.68 feet and a central angle of 3° 25' 30", a distance of 45.113 feet to the direct extension northwesterly of the northeasterly line of Horton Street; thence along such extension and along the northeasterly line of Horton Street South 17° 32' East 595.19 feet to the point of beginning.

Applicant is constructing a new supplies distribution center in San Leandro upon completion of which it plans to move from its Emeryville property to the San Leandro location. When this move is completed early in 1955, applicant states that the Emeryville garage and storage yard will no longer be necessary or useful in the conduct of its business.

The original cost of the land and improvements involved in this transaction is stated by the applicant to be \$24,412 and \$122,938, respectively, making a total of \$147,350. Shell Development Company has agreed to purchase the land and improvements thereon for the sum of \$235,000. This purchase, however, is contingent upon Shell Development Company being able coincidentally to purchase the adjacent real property owned by Western Electric Company, Inc.

The Commission has considered this matter and is of the opinion that a public hearing thereon is not necessary and that the granting of the application, as herein provided, will not be adverse to the public interest. The action taken herein shall not be construed to be a finding of the value of the property herein authorized to be transferred.

IT IS HEREBY ORDERED that The Pacific Telephone and Telegraph Company, after the effective date hereof and on or before July 1, 1955, may sell the property described in the proposed agreement attached to the application as Exhibit A to Shell Development Company pursuant to the terms of said proposed agreement.

-2-

A-35811 ET

If the authority herein granted is exercised, The Pacific Telephone and Telegraph Company within thirty days thereafter shall notify this Commission in writing of the date of completion of the property transfer herein authorized.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco \_, California, this 00703=> . 1954. of \_ ommissioners