

Decision No. 51007

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of)	
SOUTHERN PACIFIC RAILROAD COMPANY and	:	
its Lessee, SOUTHERN PACIFIC COMPANY,)	
and CITY AND COUNTY OF SAN FRANCISCO	:	Application
for authority for said Companies to)	No. 36596
convey to City and County of San Francisco	:	
certain property in the City and County)	
of San Francisco, State of California.	:	
-----)	

OPINION AND ORDER

In this application Southern Pacific Railroad Company and Southern Pacific Company seek authorization to sell certain real property to the City and County of San Francisco. The agreed price is \$2,095.

The property consists of 5,238 square feet of land, more or less, lying in a proposed extension of Geneva Avenue near San Miguel Street within the city and county. It will be used by the purchaser for public highway purposes, with an easement, however, being reserved by Southern Pacific Railroad Company for railroad purposes. Authorization for the construction of a grade crossing over the property was given by Decision No. 50227, dated June 29, 1954, in Application No. 35439.

A description of the property to be sold, as set forth in the proposed deed of conveyance attached to the application, is as follows:

"That certain piece or parcel of land situate, lying and being in the City and County of San Francisco, State of California, being a portion of the 60 foot wide strip of land described secondly in deed dated January 3, 1862 from F.L.A. Pioche, et al. to The San Francisco and San Jose Railroad Company, recorded February 14, 1862 in Book 148 of Deeds, Page 410, Records of the

City and County of San Francisco, more particularly described as follows:

BEGINNING at the point of intersection of the southeasterly prolongation of the southwesterly line of Geneva Avenue with the westerly line of land (60 feet wide) as described in said deed, said point being distant southeasterly 140.450 feet from the intersection of said southeasterly prolongation of the southwesterly line of Geneva Avenue with the southeasterly line of Tara Street; thence Southeasterly along said southeasterly prolongation of the southwesterly line of Geneva Avenue, 63.877 feet to the easterly line of land as described in said deed; thence Northerly deflecting $110^{\circ} 03' 56''$ to the left of last described course, and along said easterly line of land, 87.299 feet to a point in a line parallel with and distant northeasterly, 82 feet, measured at right angles from said southeasterly prolongation of the southwesterly line of Geneva Avenue; thence Northwesterly deflecting $69^{\circ} 56' 04''$ to the left of last described course, and along said parallel line, 63.877 feet to the aforementioned westerly line of land as described in said deed; thence Southerly deflecting $110^{\circ} 03' 56''$ to the left of last described course, and along said westerly line of land 87.299 feet to the point of beginning, containing an area of 5238 square feet, more or less.

EXCEPTING AND RESERVING unto said Southern Pacific Railroad Company, an easement for the reconstruction, maintenance and use of the existing easterly railroad track located upon said land."

Upon reviewing the matter we conclude, and so find, that the proposed transfer will not be adverse to the public interest; therefore,

IT IS HEREBY ORDERED as follows:

1. Southern Pacific Railroad Company and Southern Pacific Company may transfer to the City and County of San Francisco the real property referred to in this application.

2. The action taken herein shall not be construed to be a finding of the value of the property herein authorized to be transferred.

3. The authority herein granted will become effective upon the date hereof.

Dated at Los Angeles, California, this 25th day of January, 1955.

John E. Mitchell
President

Justin Z. Calmes
Paul J. Antecorino

William D. Dooling
Commissioners