

Decision No. 31039

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
NORTHWESTERN PACIFIC RAILROAD COMPANY, )  
CITY OF SAUSALITO, ROBERT C. ROSE and )  
AMY W. ROSE for authority for said )  
Railroad Company to convey to the City )  
of Sausalito, Robert C. Rose and Amy W. )  
Rose certain property in the City of )  
Sausalito, County of Marin, State of )  
California. )

Application No. 36078

John B. Ehlen, for applicant City of Sausalito.  
Randolph Karr and Roy Verome, for applicant  
Northwestern Pacific Railroad Company.  
Robert C. Rose and Amy W. Rose, in propria personae  
Kenneth Q. Harrison, for Commission staff.

O P I N I O N

By this application filed November 12, 1954 applicant Railroad Company seeks authority to sell certain real property situated in the City of Sausalito to the City, and to Robert C. Rose, and Amy W. Rose, for \$105,000.00. It is alleged that the existing railroad tracks, ferry slip and wharf, located upon this property, are no longer required by the railroad company, or the public, for common carrier service.

Public hearing was held in Sausalito before Examiner John Rowe on January 4, 1955 at which time evidence both oral and documentary was adduced and the matter duly submitted.

Notice of this hearing and of the proposed abandonment and removal of the tracks was given to the public by publication in a newspaper of general circulation in the City of Sausalito. No one appeared to protest either the sale or the abandonment and removal of tracks.

According to the testimony, the tracks and other operative facilities to be removed are not necessary and have not been used in any service to the public for approximately 13 years. Since 1941 no freight or passengers have been transported over said tracks. The need for this track and for the ferry slip and wharf entirely ceased with the abandonment of the ferry service to San Francisco in 1941.

The price of the real estate to be sold was arrived at by public advertisement for sealed bids. The Commission finds that the property to be transferred, as well as the tracks and other facilities located on such property, are not necessary or useful in the performance by the railroad of any of its duties to the public. The immediate public need for this transfer requires that the effective date of this order be five days after the date hereof.

O R D E R

Application therefor having been filed, public hearing having been held, and the Commission being fully advised,

IT IS ORDERED that Northwestern Pacific Railroad Company be, and it hereby is, authorized to convey the property described in Application No. 36078 to the City of Sausalito, and to Robert C. Rose, and Amy W. Rose, his wife, by executing indentures in the form attached to said application and for the consideration of \$105,000.00.

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

Dated at Los Angeles, California, this 25<sup>th</sup> day of JANUARY, 1955.

Center E. Whitcomb  
President  
Justus J. Calmes  
Royce L. Lintner  
Thomas K. Hooley  
Commissioners