

ORIGINAL

Decision No. 53473

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
PIXLEY TRANSPORTATION, a corporation,
to execute a corrected real property
grant deed, and of MELVIN A. PIXLEY
to execute a real property grant deed.

Application No. 38234

OPINION AND ORDER

By Decision No. 47955, dated November 25, 1952, the Commission authorized Furniture Fast Freight, a corporation, now known as Pixley Transportation, to transfer certain property, including real property located in the City of Berkeley to A. T. L., Inc. Thereafter, by Decision No. 52577, dated February 7, 1956, the Commission authorized A. T. L., Inc., to transfer such real property to Melvin A. Pixley.

It now is reported that in the original application an error was made in the legal description of the real property, which error was reflected in the grant deed executed pursuant to authorization granted by Decision No. 47955, although the error was not carried forward into the subsequent transfer or deed.

It appears that Melvin A. Pixley has not utilized the real property in his highway common carrier operations and that he has made arrangements to sell the same to Mr. and Mrs. M. G. Martinelli. The title insurance company, however, has discovered

the error in the original grant deed and has requested that a corrected instrument be issued. Accordingly, Pixley Transportation seeks authorization to issue to A. T. L., Inc., a new grant deed containing the correct legal description.

Because the property at one time had been used for public utility purposes, the title insurance company seeks clearance from the Commission with respect to the presently proposed sale to the Martinellis. Melvin A. Pixley, therefore, also seeks authorization to execute a grant deed.

The Commission has considered this matter and is of the opinion that applicants' requests should be granted by an ex parte order; therefore,

IT IS HEREBY ORDERED as follows:

1. Pixley Transportation, a corporation, may execute a grant deed to A. T. L., Inc., in, or substantially in, the same form as the grant deed filed in this proceeding as Exhibit "A".

2. Melvin A. Pixley may execute a grant deed to Mr. and Mrs. M. G. Martinelli in, or substantially in, the same form as the grant deed filed in this proceeding as Exhibit "A", and may convey unto the grantees the real property described in said exhibit.

3. This order will become effective on the date hereof.

Dated at San Francisco, California, this 23rd day of July, 1956.

[Signature]
President

[Signature]

[Signature]

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Commissioners