

ORIGINAL

Decision No. 59330

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of }
ASSOCIATED FREIGHT LINES, }
a California corporation, for }
authority to sell and convey }
certain real property. }

Application No. 41677

O P I N I O N

This is an application for an order of the Commission authorizing Associated Freight Lines, a corporation, to sell and convey its Los Angeles terminal property to its stockholders, from whom it proposes to lease back said property.

Applicant is engaged in the transportation of general commodities as a highway common carrier between San Francisco and Los Angeles. For the purpose of obtaining funds which will enable it to repay cash advances of \$33,000 and to increase its working capital by \$7,000, applicant proposes to sell and convey its Los Angeles terminal property to the persons holding shares of its stock on November 12, 1959, each of whom will acquire an undivided interest in said property, as follows:

Morgan Stanley	20/90ths
Mary Martha Stanley, Trustee under the Will of Edgar S. Stanley, Deceased	10/90ths
Lloyd Swayne, Jr.	25/90ths
Virginia S. Niedringhaus	10/90ths
Kathryn S. Kimbrough	10/90ths
Robert A. Hiller	7/90ths
Georgina Hiller	8/90ths

The purchase price for said real property, subject to an existing deed of trust dated July 24, 1953, in favor of Bank of America National Trust and Savings Association, with a balance owing of approximately \$40,000, is \$40,000 cash, which property the transferees will lease back to the transferor at a net rental of \$600 per month.

It appears that there will be no change in applicant's rates or service as the result of the transfer and that the same operative properties will be available to the applicant to enable it to continue the present operations. Upon reviewing the verified application, we are of the opinion, and so find, that the transfer under the terms as proposed, and subject to the conditions of the order herein, will not be adverse to the public interest and should be authorized.

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

O R D E R

The Commission having considered the above-entitled matter and being of the opinion that a public hearing is not necessary, and that the application should be granted, as herein provided, therefore,

IT IS HEREBY ORDERED as follows:

1. Associated Freight Lines, a corporation, may execute an agreement in, or substantially in, the same form as that attached to this application as Exhibit A, and, in accordance with said agreement, may sell and convey the real property situated in the County of Los Angeles, described as follows:

The southerly 175 feet of that portion of M. L. Wick's Subdivision of the Kiefer Tract, in the City of Los Angeles, as per map recorded in book 18 page 25 of Miscellaneous Records, in the office of the county recorder of said county, described as follows:

Lots 46, 47, 48, 49, 53, 54, 55 and 56 of said subdivision and the vacated alley adjoining said lots as shown on said map.

EXCEPT those portions of said Lots 46 and 53 and of said vacated alley lying east of a line parallel with and distant westerly 125 feet, measured along the northerly line of Violet Street (shown on said map as Pacific Street), from the easterly line of said Lot 50.

2. The authority herein granted is subject to the condition that the property involved is not relieved from its devotion to the public use and that its status as public utility operative property shall continue as though no transfer had taken place, anything in any lease or other contract or agreement to the contrary notwithstanding.

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

Dated at San Francisco, California, this
8th day of December, 1959.

Ernest B. Rege
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners