

**ORIGINAL**

Decision No. 70424

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California  
Rapid Transit District, a public  
corporation, to acquire certain  
real property of Southern Pacific  
Company.  
(Amended Title)

Application No. 47930  
(Amended)

Milton McKay, for Southern California Rapid  
Transit District, applicant.  
Randolph Karr and Walt A. Steiger, by Walt  
A. Steiger, for Southern Pacific Company;  
R. W. Russell, by K. D. Walpert, for the  
City of Los Angeles; interested parties.  
John E. de Brauwere, for the Commission staff.

O P I N I O N

This is an application by Southern California Rapid  
Transit District (hereinafter referred to as District), seeking  
authority to acquire real property belonging to Southern Pacific  
Company (hereinafter referred to as Southern Pacific).

A duly noticed public hearing was held in this matter  
before Examiner Jarvis in Los Angeles on February 2, 1966, and  
the matter was submitted on that date. The presiding examiner  
permitted District to file, at the hearing, an amendment to the  
application which reduced the amount of property sought to be  
acquired by District.

Southern Pacific is a railroad corporation as defined  
in Section 230 of the Public Utilities Code. Section 30503 of  
the Public Utilities Code grants District the power of eminent  
domain and provides, in part, that:

"No such taking or acquisition by the district  
which would involve the abandonment, removal, relocation  
or use of property of a railroad corporation, as defined  
in Section 230 of this code, shall be permitted, unless  
the Public Utilities Commission, after hearing, shall

find and determine that the public interest and necessity require the abandonment, removal, relocation or use of such property and that such taking or acquisition will not unreasonably impair the ability of the railroad corporation involved to provide safe, adequate, economical and efficient service."

The record discloses that the property involved is located in downtown Los Angeles, that it fronts on Wall Street, that it is within the area bounded by Los Angeles, Sixth, Maple and Seventh Streets; that a new District-Greyhound bus terminal is to be located in part of said area; that the property sought to be acquired would provide access and parking facilities for District's buses using the terminal and that said property has been used as a parking lot by District or its predecessors for the past fifteen years and is not operating property of Southern Pacific. The record also indicates that District filed Action No. 858,653 in the Los Angeles Superior Court seeking to condemn the property.

The Commission makes the following findings and conclusion.

Findings of Fact

The Commission finds that:

1. The public interest and necessity require the use of the real property, hereinafter described, by District.
2. The taking or acquisition of the real property, hereinafter described, by District from Southern Pacific will not unreasonably impair the ability of Southern Pacific, a railroad corporation, to provide safe, adequate, economical and efficient service to the public.

Conclusion of Law

The Commission concludes that the application should be granted.

ORDER

IT IS ORDERED that the Southern California Rapid Transit District is hereby permitted and authorized to acquire, by condemnation or acquisition, from Southern Pacific Company the real property situated in the City of Los Angeles, Los Angeles County, State of California, more particularly described as follows:

Beginning at a point in the westerly line of Wall Street, 60.00 feet wide, distant northerly thereon 329.85 feet from the northerly line of 7th Street, 80.00 feet wide; thence northerly along said westerly line a distance of 25.00 feet, more or less, to a point established by the easterly prolongation of the northerly property line of Lot 21, Reyes Vineyard Property, and said westerly line; thence westerly along the easterly prolongation of the northerly line of Lot 21, Reyes Vineyard Property, to the Reyes Vineyard Property, as shown on map recorded in Book 59, Page 92 of Miscellaneous Records, in the office of the County Recorder of said county; thence southerly along said easterly line, to the southwest corner of the land described in the deed to Pacific Electric Land Company, recorded on November 20, 1914 as instrument No. 63, in Book 5923 Page 231 of Deeds, in said office of the County Recorder; thence easterly along the southerly line of the land described in said deed to the point of beginning.

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

Dated at San Francisco, California, this 27th day of MARCH, 1966.

Frederick B. Halaloff  
President

[Signature]

George H. Hoover

[Signature]

[Signature]  
Commissioners