

LEM

Decision No. 16690.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
DONALD P. CONDIT and FORD L. HOWLAND)
to transfer public utility property)
in East San Gabriel.)

Application No. 12734

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

The Commission by Decision No. 16573, dated April 26, 1926, in the above entitled matter, authorized Donald P. Condit to transfer to Ford L. Howland a well and pumping plant producing water which is being sold to John Street, Victor Torrance and Walter Dudley. In addition to acquiring the well and pumping plant Ford L. Howland purchased fifteen acres of land from Donald P. Condit; all at a cost of \$40,000. As part payment for the property Ford L. Howland has agreed to issue his seven percent note for \$31,250.00 payable as follows:- \$1,000. on January 1, 1927; \$1,000. on January 1, 1928; and the balance on January 1, 1929.

On May 3rd there was filed with the Railroad Commission a copy of a deed of trust which will be executed to secure the payment of the note for \$31,250. The lien of the deed of trust, it appears, attaches to the properties which the Commission authorized to be transferred by Decision No. 16573. The Commission has considered the request of applicants and is of the opinion that both the issue of the note in the sum of \$31,250. and the execution of the deed of trust should be authorized by the Commission and that the application should be granted, therefore,

IT IS HEREBY ORDERED that Ford L. Howland and Mayme J. Howland, his wife, be, and they are hereby, authorized to issue a

note for \$31,250. in part payment for the properties which they are authorized to acquire from Donald P. Condit and to execute a deed of trust substantially in the same form as the deed of trust filed with the Railroad Commission on May third, 1926, to secure the payment of such note, provided that the authority herein granted to execute a deed of trust is for the purpose of this proceeding only, and is granted insofar as this Commission has jurisdiction under the terms of the Public Utilities Act, and is not intended as an approval of said deed of trust as to such other legal requirements to which said deed of trust may be subject. *

IT IS HEREBY FURTHER ORDERED that the authority herein granted to issue the note and execute a deed of trust will become effective when Ford L. Howland has paid the fee prescribed by Section 57 of the Public Utilities Act, which fee is \$52.00.

IT IS HEREBY FURTHER ORDERED that the authority herein granted in Decision No. 16573, dated April 26, 1926, shall remain in full force and effect, except as modified by this First Supplemental Order.

DATED at San Francisco, California, this 10th day of May, 1926.

H. B. ...

C. ...

Leon ...

Commissioners.

