

LEM

Decision No. 19285.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MILLER & LUX, INCORPORATED,)
a corporation, and Geo. C. Chadwick,)
Frank C. Sykes and Andrew F. Mahoney,)
doing business under the firm name)
and style of "Los Banos Lumber &)
Supply Co.," for an order authorizing)
the transfer and sale of property.)

Application No. 14269

Vincent J. McGovern and J.E. Woolley, for applicants.

BY THE COMMISSION:

O R D E R

In the above entitled application, as amended, the Railroad Commission is asked to make its order authorizing Miller & Lux, Incorporated, to sell and transfer public utility warehouse properties to Geo. C. Chadwick, Frank C. Sykes and Andrew F. Mahoney, co-partners, doing business under the firm name and style of Los Banos Lumber & Supply Company, and approving an agreement, dated August 3, 1927 by and between Miller & Lux, Incorporated, and Los Banos Lumber & Supply Company.

The properties to be transferred are located in Los Banos and are described in the application as follows:-

" Beginning at the intersection of the southeasterly line of Fifth Street produced southwesterly with the southwesterly line of "G" Street, thence southeasterly along the southwesterly line of "G" Street 200 feet, thence at right angles southwesterly 100 feet, thence at right angles northwesterly 680 feet, thence at right angles Northeasterly 100 feet to the intersection of the southeasterly line of Fourth Street produced southwesterly with the southwesterly line of "G" Street, thence southeasterly along the Southwesterly line of "G" Street 480 feet to the point of beginning, together with improvements thereon, and including all machinery, equipment and appurtenances contained therein and owned by the party of the first part."

The properties include two corrugated iron warehouse buildings constructed about seven years ago. Applicants allege the estimated value of the buildings and equipment and the land upon which they are situated at \$16,000.00. The proposed purchase price, according to the terms of the agreement of August 3, 1927, is \$14,000.00, of which \$3,500.00 is payable upon the execution of the agreement and the balance, in ten equal annual installments of \$1,050.00 each, payable on the third day of August of each year, beginning August 3, 1928, until the purchase price is fully paid, deferred payments bearing interest at the rate of six percent per annum.

A public hearing in this matter was held before Examiner Fankhauser. The Railroad Commission has given consideration to applicant's request and is of the opinion that this matter should be granted as herein provided, therefore,

IT IS HEREBY ORDERED that Miller and Lux, Incorporated, be, and it hereby is, authorized to sell and transfer for \$14,000. to Geo. C. Chadwick, Frank C. Sykes and Andrew F. Mahoney, doing business under the firm name and style of Los Banos Lumber & Supply Co., the public utility warehouse properties referred to herein, subject to the terms and conditions of the agreement dated August 3, 1927, the execution of which agreement is hereby authorized.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall become effective when Geo. C. Chadwick, Frank C. Sykes and Andrew F. Mahoney, doing business under the firm name and style of Los Banos Lumber & Supply Co., have paid the fee prescribed by

Section 57 of the Public Utilities Act, which fee is Twenty-five (\$25.00) Dollars.

DATED at San Francisco, California, this 23rd day of January, 1928.

Leon Whitely

Wm. J. ...
George ...

Thos. ...

W. J. ...

Commissioners.

Fee \$25.00

PAID

JAN 23 1928

H. ...

Fee # 5550