

LBM

Decision No. 20649.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SACRAMENTO NORTHERN RAILROAD,)
a corporation, and Kittrick and Hall,)
a corporation, for permission for)
said Sacramento Northern Railroad)
to sell to said Kittrick and Hall)
certain real and personal property.)

Application No. 11243

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

By Decision No. 15128, dated July 3, 1925, the Railroad Commission authorized Sacramento Northern Railroad to sell to Kittrick and Hall, for the sum of \$52,000.00, certain real and personal property, consisting of land and warehouse buildings at Durham, Esquon and Shippee, and 13,000 shares of the capital stock of Northern Warehouse Company, a corporation owning a warehouse at Blavo.

The agreement between the two companies provided for the down payment of \$500., monthly payments of \$500. on the first day of each month from June 1, 1925 to January 1, 1926, inclusive, \$700. on February 1, 1926 and \$5,200.00 on the first day of June of each year from 1926 to 1934, both inclusive, with interest on deferred payments at the rate of six percent per annum.

In a supplemental petition filed on December 19, 1927, in the above entitled matter, it is alleged that the unpaid balance of the purchase price on January 1, 1929 was \$47,250.00. It appears that Sacramento Northern Railway, the successor in interest to Sacramento Northern Railroad, and Kittrick and Hall, now desire

to execute a supplementary agreement providing for the payment of the unpaid balance in one hundred and twenty equal monthly installments of \$520.80, including interest at six percent on the unpaid principal and the payment by the vendor of all taxes, liens and assessments that become due or a lien against the property prior to the same becoming delinquent, and the payment thereafter by the purchaser to the vendor of the amounts so paid by the vendor.

Applicants ask for an order authorizing them to enter into the supplementary agreement. The Commission has given consideration to this request and believes it should be granted, therefore,

IT IS HEREBY ORDERED that Sacramento Northern Railway and Kitrick and Hall be, and they hereby are, authorized to execute and enter into an agreement substantially in the same form as the agreement marked "Exhibit A" and attached to the supplemental petition filed on December 19, 1927.

IT IS HEREBY FURTHER ORDERED that the order in Decision No. 15128, dated July 3, 1925, shall remain in full force and effect, except as modified by this First Supplemental Order.

DATED at San Francisco, California, this 5th day of January, 1929.

Leon Whitely

C. Seavey

Thomas D. Lovitt

M. J. Carr

Commissioners.