

Decision No. 22593

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
CHAS. GEO. MAZE)	
to sell and A. Paul Yancey to pur-)	Application No. 16556
chase a grain warehouse operated)	
at Hickman, California.)	

BY THE COMMISSION:

O P I N I O N

In this proceeding the Railroad Commission is asked to make an order authorizing Chas. Geo. Maze to transfer a grain warehouse located at Hickman to A. Paul Yancey.

It appears that Chas. Geo. Maze for a number of years has been engaged in the business of operating a public utility warehouse, chiefly for the storage of grain, at Hickman, Stanislaus County. The properties operated include a parcel of land, 100 feet by 100 feet in dimension, and a one story corrugated iron warehouse building with a storage capacity of about 10,000 square feet, together with miscellaneous warehouse equipment. The cost of the properties is estimated at about \$7,500.00.

The present application shows that Chas. Geo. Maze has made arrangements for the transfer of the warehouse properties and business to A. Paul Yancey for \$5,500.00. The agreement between the two parties to the transaction provides for the assumption by the purchaser of a mortgage indebtedness of \$2,500.00 in favor of The California Mutual Building & Loan Company of San Jose and the payment of the balance in cash. The amount of the mortgage indebtedness, we

are advised, has been reduced to \$1,800.00 at this time.

The indebtedness, it appears, is payable in monthly installments of \$50.00. Our records do not show that we have authorized Mr. Maze to execute any mortgage or other lien on his warehouse properties, nor to issue a note or other evidence of indebtedness, such as the one here involved, payable later than twelve months after date of issue. Because of the provisions of Sections 51 and 52 of the Public Utilities Act, which require the Commission's approval in matters of this nature, we question the validity of the note and mortgage in question.

The order herein will authorize the transfer of the properties. In the event the purchaser desires or finds it necessary that the above mentioned indebtedness be evidenced by a long term note secured by a mortgage on the public utility properties, it will be necessary for him to file a formal application for permission to issue such note and execute such mortgage and obtain a formal order from the Commission authorizing the same.

ORDER

Application having been made to the Railroad Commission for an order authorizing the transfer of warehouse properties, and the Commission being of the opinion that this is not a matter in which a public hearing is necessary, and that the application should be granted, as herein provided,

IT IS HEREBY ORDERED that Chas. Geo. Maze be, and he hereby is, authorized to transfer to A. Paul Yancey his warehouse business and properties located at Hickman, Stanislaus County, California.

The authority herein granted is subject to the following conditions:

(1) Chas. Geo. Maze and A. Paul Yancey shall join in common supplement to the tariffs now on file with the Railroad Commission in the name of Chas. Geo. Maze, applicant Maze on the one hand withdrawing, and applicant Yancey on the other hand accepting and adopting as his own such tariffs and all effective supplements thereto.

(2) The authority herein granted will become effective upon the date hereof.

DATED at San Francisco, California, this 27th day of June, 1930.

Chas. Geo. Maze
A. Paul Yancey
Thomas G. Leland

Commissioners.