

Decision No. 22848.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
JOHN F. GRISEZ)	
for permission to operate a warehouse)	
at Westley, California, and for per-)	
mission to SIMON NEWMAN COMPANY, a)	Application No. 16700
corporation, to transfer its interest)	
in said warehouse to John F. Grisez.)	

Goldman & Altman, for applicants.

BY THE COMMISSION:

OPINION AND ORDER

Application has been made to the Railroad Commission for an order authorizing Simon Newman Company to transfer its interest in a warehouse at Westley, Stanislaus County, to John F. Grisez.

It appears that Simon Newman Company, a corporation, is engaged in the business of operating a public warehouse at Westley for the storage of grain and other commodities. Its annual reports to the Commission indicate that the warehouse, which is situated on land of the Southern Pacific Company, is an ironclad building with a floor space of 14,210 square feet and of a capacity of 255,780 cubic feet. The revenues derived from operations at Westley were reported at \$6,065.61 during 1929, at \$2,693.28 during 1928 and at \$5,505.82 during 1927.

The application now shows that Simon Newman Company is desirous of withdrawing from the warehouse business at Westley and of leasing its building to John F. Grisez, who is reported as ready, able and willing to operate the warehouse upon the same sched-

ule of rates as are now charged by Simon Newman Company.

The agreement between Simon Newman Company and John F. Grisez, dated June 30, 1930, a copy of which is filed with the application, provides for the leasing of the properties to Grisez for a term of thirty-five months, at the following rental:-

" \$1,500.00 to be paid upon delivery of possession of said property to lessee; \$100.00 on the same day of the next succeeding five months after delivery; \$197.50 six months after delivery; \$100.00 per month on the same day of the next succeeding five months; \$179.50 one year after the date of delivery; \$100.00 per month on the same day of the next succeeding five months; \$161.50 one year and six months after date of delivery; \$100.00 on the same day of the next succeeding five months; \$143.50 two years after date of delivery; \$100.00 per month on the same day of the next succeeding five months; \$125.50 two years and six months after date of delivery; \$100.00 per month on the same day of the next succeeding four months; and \$107.50 at the expiration of the term of said lease."

Upon the expiration of the lease, provided the terms have been met, Simon Newman Company will convey to Grisez all of its right, title and interest in and to the building.

It is apparent that it is necessary for the convenience of the public that the Westley warehouse be operated and, in our opinion, the present application should be granted, therefore,

IT IS HEREBY ORDERED that Simon Newman Company be, and it hereby is, authorized to lease and transfer its warehouse properties at Westley, Stanislaus County, to John F. Grisez in accordance with the terms and conditions of the agreement of June 30, 1930, a copy of which is filed with the application herein, and John F. Grisez be, and he hereby is, authorized to acquire and operate such properties.

The authority herein granted is subject to the following conditions:-

(1) Simon Newman Company shall withdraw immediately its tariffs covering its rates, rules and regulations applicable at Westley, Stanislaus County, and John F. Grisez shall adopt and establish as his own, such tariffs.

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

DATED at San Francisco, California, this 9th day of July, 1930.

Edmund
Leon
W. D. D.

Commissioners.