

LEW.

Decision No. 23755

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
HATTIE H. SAUNDERS,
Executrix of the Estate of C.E.V.
Saunders, deceased, doing business
under the name of "Madden Creek Water
Company", for an order authorizing
said Company to borrow money and
execute note and deed of trust there-
for.

Application No. 17351

Downey, Brand and Seymour, for applicant.

BY THE COMMISSION:

ORDER

ORIGINAL

Hattie H. Saunders, as executrix of the Estate of C.E.V. Saunders, deceased, and doing business under the name and style of Madden Creek Water Company, asks permission to issue a note in the principal sum of \$1,800.00 and execute a deed of trust to secure the payment of such note. The note will be issued to J. S. Spelman and will bear interest at the rate of eight percent per annum payable semi-annually. The principal of the note will be payable in six semi-annual installments, the first installment to be paid on or before December 1, 1931. A copy of the note is filed in this proceeding as Exhibit "A". The deed of trust will be a lien on the following described properties:-

"That certain real property situate in the County of Placer, State of California, described as follows: Beginning at a point on said Madden Creek, distant South 72° 12' W. 600 feet from the Northwest corner of Lot 276 of San Souci Heights, at Homewood, California; thence South 19° 34' E. 85 feet to the Southeast corner of the two acres hereby described; thence South 70° 26' W. 417.4 feet to the Southwest corner of the two acres hereby described; thence North 19° 34' West 208.7 feet to the Northwest corner of said two acres; thence North 70° 26' E. 417.4 feet to the Northeast corner of said two acres; thence South 19° 34' E. 123.7 feet to the place of beginning, containing two acres, together with those certain easements and rights of way referred to and described in that certain deed recorded

January 10, 1922, in Book 188 of Deeds at page 487, Placer County Records, and in that certain deed recorded January 10, 1922, in Book 188 of Deeds, at page 488, Placer County Records.

Also that certain water system operated by the said HATTIE E. SAUNDERS as a public utility under the title "Madden Creek Water Company", together with any and all easements, rights of way, pipe lines, ditches, reservoirs, tools, equipment and appurtenances in anywise thereto appertaining."

A copy of the deed of trust is filed in this proceeding as Exhibit "B". We find the same to be in satisfactory form.

The \$1,800.00 which applicant intends to obtain from J. S. Spelman will be used to pay in part the cost of the improvements which the Commission by Decision No. 22753 dated August 6, 1930 in Application No. 16478 directed applicant to make.

The Commission has considered the request of applicant and is of the opinion that this is not a matter in which a public hearing is necessary and that the money, property or labor to be procured or paid for by the issue of the \$1,800.00 note is reasonably required for the purpose herein stated and that this application should be granted, as herein provided, therefore,

IT IS HEREBY ORDERED that Eattie E. Saunders, executrix of the Estate of C.E.V.Saunders, deceased, and doing business under the name and style of Madden Creek Water Company, be, and she is hereby, authorized to issue a note in the principal amount of \$1,800.00, such note to be substantially in the same form as the note filed in this proceeding as Exhibit "A", and shall use the proceeds obtained through the issue of such note to pay in part the cost of the improvements referred to by the Commission in Decision No. 22753 dated August 6, 1930, in Application No. 16478.

IT IS HEREBY FURTHER ORDERED that said Eattie E. Saunders, executrix of the Estate of C.E.V.Saunders, deceased, and doing business under the name and style of Madden Creek Water Company, be, and she is hereby, authorized to execute a deed of trust substantially

in the same form as the deed of trust filed in this proceeding as Exhibit "B", provided that the authority herein granted to execute said deed of trust is for the purpose of this proceeding only, and is granted only 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 will become effective when applicant has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is Twenty-five (\$25.00) Dollars.

IT IS HEREBY FURTHER ORDERED that Eattie E. Saunders, executrix of the Estate of C.E.V. Saunders, deceased, and doing business under the name and style of Madden Creek Water Company, shall, within thirty (30) days after the issue of the note herein authorized, file with the Commission a copy of said note, and a copy of the deed of trust executed to secure the payment of said note.

DATED at San Francisco, California, this 12th day of January 1931.

C. S. ...
Leon ...
M. J. ...
W. B. ...
Fred G. ...
Commissioners.

Fee # 25.00
RAILROAD COMMISSION
JAN 4 1931
Fee # 29116