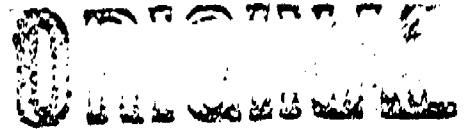


Decision No. 28782.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 J. R. GARRETT CO., a corporation,)
 to sell, and SAM BRITTON to purchase) Application 17357.
 the warehouse business operated at)
 Marysville, California.)

BY THE COMMISSION:

OPINION AND ORDER

In this proceeding the Railroad Commission is asked to authorize the transfer to Sam Britton of the warehouse business and properties located at Marysville, heretofore operated as a public utility by J. R. Garrett Co., a corporation.

The properties to be transferred in accordance with the terms and conditions of an agreement entered into September 24, 1929 (a copy of which is attached to the application), consist of certain real property described as follows:

Lot No. Eight (8), of Block No. Six (6), in Range letter L, as said lot, block and range are laid down, numbered and designated on the Official Recorder Map of the said City of Marysville,

together with all buildings and machinery now used in the operation of the warehouse.

Sam Britton has been operating the warehouse here sought to be transferred since October 1, 1929, under his Tariff No. 1, C.R.C. No. 1. Prior to that time the warehouse was operated by J. R. Garrett Co. under the rates, rules and regulations shown in its Warehouse Tariff No. 4, C.R.C. No. 4. Through an unintentional oversight applicants failed to request and obtain authority from the Commission for the transfer at the time Sam Britton

took possession of the properties. The instant application is for the purpose of correcting the oversight.

It appears to the Commission that this is not a matter in which a public hearing is necessary and that the application should be granted as herein provided; therefore

IT IS HEREBY ORDERED that the above entitled application be and the same is hereby granted, subject to the following conditions:

1. J. R. Garrett Co. shall immediately cancel Warehouse Tariff No. 4, C.R.C. No. 4, and Sam Britton shall continue operation under Warehouse Tariff No. 1, C.R.C. No. 1, filed in his name, effective October 1, 1929, supplements thereto or re-issue thereof.
2. The rights and privileges herein authorized to be transferred may not be sold, leased, transferred or assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to the sale, lease, transfer or discontinuance has first been secured.
3. The authority herein granted will become effective upon the date hereof.

Dated at San Francisco, California, this 15th day of June, 1931.

C. C. Seavey
Leon Whitely
M. A. ...
W. B. ...
Fred G. Stewart
Commissioners.