

Decision No. 17834

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the)
 MURRIETTA VALLEY ELEVATOR COMPANY,)
 a corporation, for authority to execute)
 a note and deed of trust to the Security)
 Savings Bank of Riverside, California,)
 a banking corporation.)

Application No. 17834

ORIGINAL

Sarau and Thompson, for applicant.

BY THE COMMISSION:

OPINION AND ORDER

Murrietta Valley Elevator Company asks permission to execute a deed of trust and to issue a promissory note in the principal amount of \$4,500.00, payable on or before three years after date thereof, with interest at the rate of seven percent per annum, for the purpose of renewing outstanding indebtedness.

The records of the Commission show that by Decision No. 15218, dated July 27, 1925 (Vol. 26, Opinions and Orders of the Railroad Commission of California, p. 843), it authorized applicant herein to execute a mortgage and to issue to Security Savings Bank of Riverside its promissory note in the amount of \$7,500.00, payable on or before three years after date of issue with interest at not exceeding seven percent per annum, for the purpose of paying in part indebtedness that had been incurred in the construction of a reinforced concrete elevator building in Murrietta.

It appears that pursuant to the authority granted by the Commission, the company on October 1, 1925 issued its three year note for \$7,500.00. Since that date it has paid on account of the

principal, the sum of \$3,000.00, leaving a balance of \$4,500.00 past due and unpaid at this time. The company reports that it is unable to pay said balance at this time. The Security Savings Bank of Riverside, the holder of the note, has agreed to renew the note for a period of three years from January 1, 1932, provided that the issue of a note in the sum of \$4,500.00 is authorized by the Railroad Commission; that the payment is secured by a deed of trust; that proper insurance is carried by the company; and that the directors of the company personally endorse and guarantee the payment of the note.

A copy of the proposed deed of trust is filed with the application as Exhibit "A". It appears to be in satisfactory form.

The Commission is of the opinion that this is not a matter in which a public hearing is necessary, that the application should be granted as herein provided, and that the money, property or labor to be procured or paid for through the issue of the note is reasonably required for the purpose specified herein, which purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income, therefore,

IT IS HEREBY ORDERED that Murrietta Valley Elevator Company be, and it hereby is, authorized to execute a deed of trust substantially in the same form as that filed in this proceeding as Exhibit "A", and to issue its promissory note to be secured by said deed of trust in the principal amount of \$4,500.00, payable on or before three years after date of issue, with interest at not exceeding seven percent per annum, for the purpose of paying or refunding the note indebtedness of like amount now outstanding in favor of Security Savings Bank of Riverside.

The authority herein granted is subject to the following conditions:

(1) Applicant shall keep such record of the issue of the note herein authorized as will enable it to file within thirty (30) days thereafter a verified report, as required by the Railroad Commission's General Order No. 24, which order, insofar as applicable, is made a part of this order.

(2) The authority herein granted to execute a 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 such deed of trust as to such other legal requirements to which said deed of trust may be subject.

(3) The authority herein granted will become effective upon the date hereof. Under such authority, no deed of trust nor note may be executed after March 1, 1932.

DATED at San Francisco, California, this 14th day of December, 1931.

C. Seaver
Leon Whiskey
M. A. Carr
W. B. Harris
Fred G. Stewart
Commissioners.