

LBM

Decision No. 24873

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ORCHARD DALE SERVICE COMPANY,)
a corporation, for order authorizing) Application No. 18069
permission to mortgage property.)

BY THE COMMISSION:

ORIGINAL

OPINION AND ORDER

Orchard Dale Service Company has applied to the Railroad Commission for an order authorizing it to execute a mortgage and to issue a note for \$500.00 payable on or before October 24, 1934, with interest at the rate of seven percent per annum.

It appears that Orchard Dale Service Company is a corporation organized on or about January 20, 1928 under the laws of the State of California, and engaged in the business of delivering water for irrigation and domestic purposes in the territory lying between La Habra and Whittier.

The application shows that Orchard Dale Service Company and La Habra Heights Mutual Water Company jointly have purchased a parcel of real property, adjacent to booster plants now owned by them, to be used ultimately for a reservoir site for the control of waters delivered to said plants, thus insuring better service. This property is described in Exhibit "B" as follows:-

That portion of Lot 41 in Block 2 of Tract No. 505, as per Map recorded in Book 15, Pages 94 and 95 of Maps, in the office of the County Recorder of said County, described as follows:

Beginning at a point in the Southwest line of said lot, distant thereon North 49° 54' West 504.10 feet from the most Southerly corner of said lot; thence parallel with the Southeast

line of said lot, North 40° 06' East 260.83 feet to the Southerly line of the 40 foot right of way of the Atchison, Topeka and Santa Fe Railway Company; thence along said Southerly line North 76° 11' 25" West 173.72 feet to the Northwest line of said lot; thence South 62° 09' 30" West 1.36 feet to the most Easterly corner of the land described in deed to the Whittier Water Company recorded in Book 6712, page 311, of Deeds, Records of said County; thence along the Southeast line of said land, South 40° 06' West 182.62 feet to the Southwest line of said lot; thence along Anaheim Telegraph Road, South 49° 54' East 156.26 feet to the point of beginning;

EXCEPT any portion lying within the lines of Anaheim Telegraph Road (formerly La Mirada and Whittier Road) as conveyed to the County of Los Angeles by deed recorded in Book 1230, page 76, of Deeds, Records of said County.

It appears that applicant acquired an undivided one-third interest in the property and La Habra Heights Mutual Water Company an undivided two-thirds interest. The total purchase price was \$2,000.00 payable \$500.00 in cash, and the balance to be evidenced by a mortgage for \$500.00 executed by applicant against its undivided one-third interest, and a mortgage for \$1,000.00 executed by La Habra Heights Mutual Water Company against its undivided two-thirds interest, both mortgages to secure promissory notes for said amounts, to mature October 24, 1934, with interest at seven percent per annum.

Orchard Dale Service Company, being a public utility water company, asks permission to execute the mortgage and note.

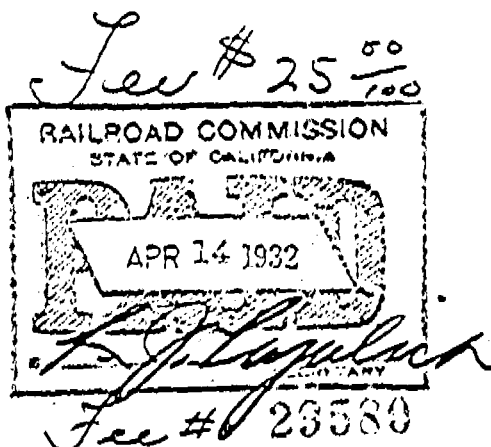
The Commission has considered applicant's request and is of the opinion that this is not a matter in which a public hearing is necessary and that the money, property or labor to be procured or paid for, through the execution of said mortgage and note is reasonably required for the purpose specified herein, which purpose is not in whole or in part reasonably chargeable to operating expense or to income, therefore,

IT IS HEREBY ORDERED, that Orchard Dale Service Company be, and it hereby is, authorized to execute a mortgage substantially in the same form as that filed in this proceeding as Exhibit "C", and to issue a note secured by said mortgage in the principal amount of \$500.00, payable on or before October 24, 1934, with interest at not exceeding seven percent per annum, for the purpose of paying in part the cost of the real property referred to herein.

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

- (1) Applicant shall file within thirty(30) days after the issue of the note herein authorized 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 mortgage 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 mortgage as to such other legal requirements to which it may be subject.
- (3) 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.

DATED at San Francisco, California, this 11th day of April, 1932.



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C. J. Leary
Leon Whidell
W. J. ...
M. B. Harris
Fred G. Stewart
Commissioners.