

LBM

Decision No. 25945

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SACRAMENTO NORTHERN RAILROAD,)
a corporation, and KITRICK & HALL, a)
corporation, for permission for said)
Sacramento Northern Railroad to sell)
to said Kitrick & Hall certain real)
and personal property.)

ORIGINAL

Application No. 11243

BY THE COMMISSION:

THIRD SUPPLEMENTAL ORDER

By Decision No. 15123 dated July 3, 1925 the Commission authorized Sacramento Northern Railroad (now Sacramento Northern Railway) to enter into an agreement with Kitrick & Hall for the purchase and sale of certain warehouse properties and appurtenances and capital stock of Northern Warehouse Company. The agreement thus entered into was modified pursuant to Decision No. 20649 dated January 5, 1929, and further modified pursuant to Decision No. 24191 dated November 2, 1931.

In a supplemental application filed on August first applicants asked the Commission for permission to execute a further supplemental agreement, under the terms of which the vendor agrees to postpone the collection of the installments, principal and interest, which became due and payable on the first days of April, May and June, 1931, amounting in the aggregate to \$1,562.40, until the first day of October, 1932, at which time the purchaser agrees to pay the same. The vendor and purchaser further agree that beginning with the first day of May, 1932, and continuing to the first day of July, 1933, the purchaser shall pay monthly installments of \$350.00 pay-

able monthly in advance, instead of \$520.80, provided by the agreement now in effect. Beginning with the first day of July, 1933, the purchaser shall resume the monthly payments of \$520.80 which shall continue until the entire amount of principal, interest and incidental charges due or accruing under the agreement shall have been paid.

The parties to the supplemental agreement ask for an order authorizing them to execute the same. The Commission has given consideration to this request and believes that it should be granted, therefore,

IT IS HEREBY ORDERED, that Sacramento Northern Railway and Phillip O'Connell, as receiver for Kittrick & Hall, a corporation, be, and they are hereby, authorized to execute and enter into an agreement substantially in the same form as the agreement marked "Exhibit A" attached to the third supplemental petition filed in this proceeding on August 1, 1932.

IT IS HEREBY FURTHER ORDERED, that the order in Decision No. 15128 dated July 3, 1925, as amended, shall remain in full force and effect, except as modified by this Third Supplemental Order.

DATED at San Francisco, California, this 8th day of August, 1932.

Cl. Seaver
Leon O'Connell
M. J. C.
W. B. Harris
Frederic G. Stewart

Commissioners.