

Decision No. 25188

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
FARNETTA DAVIS JOHNSON
to buy the property known as Melrose
Boulevard Tract Water Plant, and
GEORGE KERRY to sell the same to her,
and for an order authorizing and ap-
proving the said purchase and sale.

Application No. 18233
(Supplemental)

ORIGINAL

BY THE COMMISSION:

AMENDMENT OF DECISION NO. 24911,
dated June 27, 1932.

WHEREAS, the Commission by Decision No. 24911 dated June 27, 1932, authorized George Kerry to sell his public utility water plant to Farnetta Davis Johnson and authorized said Farnetta Davis Johnson to issue a \$1,000.00 two year seven percent note for the purpose of improving said public utility water system and execute a deed of trust to secure the payment of said note; and

WHEREAS, in a supplemental application filed in this matter on September 15, it is recited that applicant issued said note and executed said deed of trust; that the cost of said improvements will exceed the sum of \$2,000.00 and that it has become necessary for said Farnetta Davis Johnson to borrow \$2,000.00 instead of \$1,000.00 for the purpose of improving said water system; and

WHEREAS, said Farnetta Davis Johnson therefore asks the Commission to amend Decision No. 24911 dated June 27, 1932 so as to permit her to issue a \$2,000.00 two year seven percent note to pay said \$1,000.00 note and further improve her public utility water system and to secure the payment of such note by a deed of

trust similar in form, except as to the amount of the note, to the deed of trust executed under the authority granted by the aforesaid decision; and

WHEREAS, the Commission has considered the request of applicant and believes that such request should be granted, therefore,

IT IS HEREBY ORDERED, that Decision No. 24911 dated June 27, 1932 be, and the same is hereby, amended so as to authorize Farnetta Davis Johnson to issue a \$2,000.00 note payable on or before two years after date, with interest at not to exceed seven percent per annum and to use the proceeds realized through the issue of said note to pay the \$1,000.00 note issued under the authority granted in said Decision No. 24911 dated June 27, 1932, and to use the remainder of the proceeds to improve her public utility water system referred to in this application; and to execute a deed of trust to secure the payment of such note, said deed of trust to be substantially in the same form, except as to the amount of the note, as that filed in Application No. 15161; provided that the authority herein granted to execute a deed of trust is for the purpose of this proceeding only, and is granted 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 within thirty(30) days after the execution of the aforesaid deed of trust, said Farnetta Davis Johnson shall file a copy of said deed of trust with the Railroad Commission.

IT IS HEREBY FURTHER ORDERED, that Decision No. 24911 dated June 27, 1932 shall remain in full force and effect, except as amended by this Order.

DATED at San Francisco, California, this 19th day of September, 1932.

W. J. Devery
Leon C. Whiteley
W. A. Carr
M. B. Harris
Fred G. Stewart

Commissioners.