

Decision No. 25412

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
GRACE BROS., INC.,)
a corporation, and FRANK P. GRACE CO.,)
a corporation, for an order author-)
izing transfer of rights and privi-)
leges of warehouseman.)

ORIGINAL

Application No. 18474

Pillsbury, Madison & Sutro, Attorneys,
By Hugh Fullerton, for applicants.

BY THE COMMISSION:

O P I N I O N

In this proceeding, as amended at the hearing had before Examiner Fankhauser on November 25th, the Commission is asked to enter its order authorizing Grace Bros. Inc. to transfer certain cold storage warehouse properties and business situate in Santa Rosa, to Frank P. Grace Co.

Grace Bros. Inc. is a corporation organized and existing under the laws of the State of California and is engaged in the business of manufacturing and selling ice and maintaining and operating warehouses and cold storage plants in and about the County of Sonoma, State of California, and as a part of such business for many years prior to May 17, 1932, operated a warehouse and cold storage plant located at the corner of Second and Wilson Streets in Santa Rosa, under

the name of Santa Rosa Ice and Cold Storage Company.

Grace Bros. Inc. has outstanding 2,000 shares of common capital stock which is owned by the following parties:-

Frank P. Grace Co.	1,000	shares
Joseph T. Grace	996	"
May McDonald Grace.....	3	"
Manuel Felciano.....	1	"
Total	<u>2,000</u>	shares

Following the death of Frank P. Grace, all the stockholders of Grace Bros. Inc. agreed to transfer to Frank P. Grace Co. the Second and Wilson Street ice plant, buildings and real estate, including cold storage warehouse properties, together with certain other miscellaneous properties of Grace Bros. Inc. if said Frank P. Grace Co. surrender to Grace Bros. Inc. 1,000 shares of stock. The properties to be transferred constitute about one half of the properties of Grace Bros. Inc. Grace Bros. Inc. will retain the De Turk ice plant, buildings, real estate, together with other miscellaneous properties including a cold storage warehouse plant and business. A more detailed description of the properties to be transferred is contained in exhibit one filed in this proceeding.

It is the intention of Frank P. Grace Co. to file with the Commission a schedule of warehouse tariffs, rules and regulations similar to the tariffs, rules and regulations now on file by Grace Bros. Inc.

O R D E R

The Commission having been requested to enter its order, as indicated in the foregoing opinion, having considered the testimony submitted by applicant and being of the opinion that this application should be granted, therefore,

IT IS HEREBY ORDERED, that Grace Bros. Inc. be, and it hereby is, authorized to sell and transfer to Frank P. Grace Co. the cold storage warehouse properties and business situate at Second and Wilson Streets, in Santa Rosa, and more particularly described in Exhibit No. 1 filed in this proceeding.

IT IS HEREBY FURTHER ORDERED, that the authority herein granted is subject to the condition that the consideration which may be paid for the aforesaid properties by Frank P. Grace Co. shall not be urged before this Commission as determining the value of said properties for any purpose other than the transfer herein authorized.

DATED at San Francisco, California, this 5th day of December, 1932.

Cl. L. Loney
Leon Whiskey
W. A. Linn
W. B. Harris
Fred G. Stewart
Commissioners.