

Decision No. 6267

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CALIFORNIA-MICHIGAN LAND AND WATER
COMPANY for permission to execute and
deliver its promissory note to GRAND
RAPIDS TRUST COMPANY.

Application No. 4713.

LOVELAND, Commissioner.

O P I N I O N

California-Michigan Land and Water Company asks per-
mission to issue a 7 per cent \$43,500.00 one year note, such note to
be in the same form as the note attached to the petition herein and
marked Exhibit "A".

Applicant reports that on September 4, 1912, which
was prior to its entry into business as a public utility, it executed
a trust deed to Los Angeles Abstract and Trust Company to secure the
payment of a \$75,000.00 note delivered to Mortgage and Guarantee Com-
pany. The note was dated September 4, 1912 and was issued for a
term of two years and ten months. In 1914 the Mortgage and Guarantee
Company transferred the note to Grand Rapids Trust Company. Appli-
cant further reports that it paid \$31,500.00 on account of said note,
leaving \$43,500.00 unpaid, that the note is not only past due, but

that the Statute of Limitations will run against any action for the enforcement of collection of the note on July 5, 1919 and that the holder of the note is willing to accept a new one year 7 per cent note.

Applicant, as set forth in Decision Number 5119, dated February 7, 1918; is engaged in real estate and public utility water business in South Santa Anita and East Pasadena. The trust deed which applicant executed, a copy of which is on file with the Commission, on September 4, 1912 covers both public and non-public utility property. While the note is the obligation of the corporation no claim is made that it should be paid in its entirety out of the earnings of the public utility business.

I herewith submit the following form of Order:-

o r d e r

CALIFORNIA-MICHIGAN LAND AND WATER COMPANY having applied to the Railroad Commission for authority to issue a \$43,500.00 note secured by a trust deed, a public hearing having been held, and the Commission being of the opinion that this application should be granted;

IT IS HEREBY ORDERED that California-Michigan Land and Water Company be, and it is hereby, authorized to issue a 7 per cent \$43,500.00 one year note, said note to be similar in form to the note attached to the petition herein and marked Exhibit "A" and to secure the payment of said note by a trust deed, substantially in the same form as the trust deed executed on September 4, 1912 to Los Angeles Abstract and Trust Company.

The authority herein granted to issue a note and execute a trust deed is subject to the following conditions:-

1.-The note shall be issued for the purpose of paying or refunding the \$43,500.00 note, payable to Grand Rapids Trust Company, referred to in the petition herein.

2.-The approval herein given of said trust deed is for the purpose of this proceeding only and an approval in so far as this Commission has jurisdiction under the terms of the Public Utilities Act and is not intended as an approval of said trust deed as to such other legal requirements to which said trust deed may be subject.

3.-Within thirty days after the issue of the note herein authorized, applicant shall file with the Railroad Commission a verified copy of the note issued and of the trust deed.

4.-The authority herein granted will not become effective until applicant has paid the fee prescribed by the Public Utilities Act.

5.-The authority herein granted will apply only to such note as may be issued within 60 days after the date hereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 30th day of June, 1919.

FILED
JUN 30 1919
BY [Signature]
ADMINISTRATIVE SECRETARY

[Signature]
[Signature]
[Signature]
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Commissioners.