

Decision No. 20659

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CITY WHARF & WAREHOUSE CO.,)
a corporation, for an order author-)
izing the leasing of certain property.)

Application No. 20659

BY THE COMMISSION:

ORIGINAL

OPINION

City Wharf & Warehouse Co., a corporation, has applied to the Railroad Commission for an order authorizing it to lease portions of its properties to Albers Bros. Milling Co. and to Humboldt Malt & Brewing Company.

It appears that applicant is engaged in business in the City of Eureka as a public wharfinger and that it ^{operates} ~~owns~~ certain facilities consisting of its wharf and three warehouse units, located thereon, known as Units Nos. 1, 2 and 3 and providing a floor space of approximately 33,689 square feet.

The company indicates, in its application, that not all of its facilities are necessary in its public utility operations, and it reports that accordingly it desires to dispose of certain space, by lease arrangements, to other corporations. To that end it proposes to lease to Albers Bros. Milling Co. certain premises, described in Exhibit A, consisting of approximately 7654 square feet in Unit No. 2 and to Humboldt Malt & Brewing Company, other premises, described in Exhibit C, consisting of approximately 5700 square feet in Unit No. 3.

The lease of space to Humboldt Malt & Brewing Company will be under an oral month to month tenancy at a rental of \$50. a month, while the lease to Albers Bros. Milling Co. will be made under the terms of a form of lease, filed as Exhibit A and attached to this application, which provides for a term of twelve months at a total rental of \$1200.

Applicant represents that the leasing of space to the two corporations referred to herein will in no way interfere with its public utility duties and that its remaining space will be ample to take care of the demands upon it by the public for service. The lease agreement with Albers Bros. Milling Co. (Exhibit A) contains, among other things, the following condition:- "Lessee herein recognizes the right of lessor to charge and collect such wharfage tolls and other dockage charges as may be approved by the Railroad Commission of the State of California with respect to any and all freight and/or other personal property passing over and/or unloaded upon the premises hereby demised and consigned to lessee by water".

The Commission expects a similar understanding to be had under the oral agreement between applicant and Humboldt Malt & Brewing Company.

ORDER

The above entitled and numbered application having been filed with the Railroad Commission, and the Commission having considered the matter and being of the opinion that it is not one in which a public hearing is necessary, and that the requests of applicant should be granted,

IT IS HEREBY ORDERED that City Wharf & Warehouse Co., a corporation, be, and it hereby is, authorized to lease a portion of its space to Albers Bros. Milling Co. upon the terms and conditions of the proposed form of lease attached to the application herein and marked "Exhibit A", and to enter into a month to month tenancy with Humboldt Malt & Brewing Company covering a portion of its space upon the terms and conditions set forth in this application and referred to in the

foregoing opinion.

DATED at San Francisco, California, this ¹² 10 day of
July, 1936.

M B Lewis

M D. Lewis

Dallas Ware

Stanley W. ...

Commissioners.