

Decision No. 23699

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
HAROLD W. HOOBLER) Application No. 20719
for permission to execute mortgage.)

Geis and Hogle, for applicant.

BY THE COMMISSION:

ORDER

ORIGINAL

Harold W. Hoobler is the owner of a certain warehouse known as Warehouse No. 2 situate at Artois, Glenn County. He asks permission to issue a promissory note for the principal sum of \$3500. payable on July 31, 1937 with interest at the rate of 7% per annum, payable on December 15th and June 15th until the principal is paid, and execute a deed of trust to secure the payment of the note. The note will be issued to Bank of America, National Trust & Savings Association, Willows Branch. The deed of trust will be a lien on the following described real property situate in Glenn County, California, to-wit:

"Beginning at the Northwest corner of Section Three(3) Township Twenty(20) North, Range (3) West, Mount Diablo Base and Meridian, said corner being in the West right-of-way line of the Southern Pacific Railroad; thence East along the North boundary line of said section 100.0 feet to a point on the East right-of-way line of said Southern Pacific Railroad; thence South 0° 56' East along said East right-of-way line 2584.0 feet to a three-quarter inch iron pin marking the Southwest corner of said 'French Warehouse Property'; thence North 89° 03' East 175.0 feet to a three-quarter inch iron pin; thence North 0° 56' West parallel with said East right-of-way line 1863.4 feet to a three-quarter inch iron pin; thence South 89° 03' West 50.0 feet to a three-quarter inch iron pin; thence South 0° 56' East 1127.4 feet to a one-half inch by one and one-half inch iron pin; thence South 89° 03' West 125.0 feet to a one inch iron pin in"

"the East right-of-way line; thence South 0° 56' East along said right-of-way line 736.0 feet to said Southwest corner of said "French Warehouse Property", containing 4.25 acres, more or less.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and also, all the estate, right, title and interest, homestead or other claim or demand, as well in law as in equity, which the Trustor now has or may hereafter acquire, of, in or to the said premises or any part thereof, with the appurtenances. "

The approximate value of the property on which the deed of trust will be a lien is reported at \$7,000.

A copy of the proposed note and a copy of the deed of trust are on file in this proceeding. We find the same to be in satisfactory form.

The Commission has considered applicant's request and is of the opinion that this is not a matter on which a public hearing is necessary, that the money, property or labor to be procured or paid for through the issue of the said note is reasonably required by applicant and that this application should be granted, therefore,

IT IS HEREBY ORDERED that Harold W. Hoobler be, and he is hereby, authorized to issue on or before November 30, 1936, a note, and execute a deed of trust in substantially the same form as the note and deed of trust on file in this proceeding, provided that the authority herein granted to execute said deed of trust is for the purpose of this proceeding only, and is given only 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 it may be subject; and provided further that the proceeds realized from the issue of the note be used to pay indebtedness.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective when applicant has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is Twenty-five(\$25.) Dollars.

IT IS HEREBY FURTHER ORDERED that within thirty(30) days after the issue of said note, applicant shall file with the Commission a statement showing the date on which said note was issued and the purposes for which the proceeds were expended.

DATED at San Francisco, California, this 31st day of August 1936.

W. B. Harris
Leon Whittell
M. P. Linn
Walter H. ...
Frank R. ...

Commissioners.

Fee \$ 25 ⁰⁰/₁₀₀
RAILROAD COMMISSION
STATE OF CALIFORNIA
SEP 2 1936
Fee # 32891