

Decision No. 29419.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of M. J. LALLY to lease and/or)
sell, and RIVERDALE FARMERS EX-)
CHANGE to lease with option to)
purchase Storage Warehouse at)
Lanare, California.)

Application No. 20794.

BY THE COMMISSION:

ORIGINAL

OPINION AND ORDER

M. J. Lally has applied to the Railroad Commission for authority to lease to the Riverdale Farmers Exchange with an option to purchase the building and equipment used in the operation of warehouse service as a public utility at Lanare under a lease agreement designated Exhibit A and a Supplemental Agreement of Sale, both dated May 22, 1936, attached to and made a part of the application.

Riverdale Farmers Exchange agrees to pay a rental of 30 cents per ton on all grain received in storage during the season beginning June 1, 1936, to and including May 31, 1937.

The consideration payable in cash for the property in the event of purchase by the Riverdale Farmers Exchange is the sum of Two Thousand and Seventy-five dollars (\$2,075.00), of which amount Eighteen Hundred dollars (\$1,800.00) represents the value of the building and Two Hundred Seventy-five dollars (\$275.00) represents the value of the equipment.

Applicant Riverdale Farmers Exchange will continue to operate the warehouse as a public utility under rates, rules and regulations shown in Warehouse Tariff No. 2, C.R.C. No. 2, supplements thereto or

reissue thereof. The proposed change of operation will not result in any curtailment of service.

We are of the opinion that this is not a matter in which a hearing is necessary and that the application should be granted; therefore

IT IS HEREBY ORDERED that M. J. Lally be and he is hereby authorized to lease and sell to the Riverdale Farmers Exchange, and the Riverdale Farmers Exchange is hereby authorized to lease with option of purchase from M. J. Lally the building and equipment used in the operation of a warehouse as a public utility in accordance with the terms of the agreements referred to herein, subject to the following conditions:

1. The consideration to be paid for the property herein authorized to be sold shall never be urged before this Commission or any other rate fixing body as a measure of value of said property for rate fixing or for any purpose other than the sale herein authorized.
2. The Riverdale Farmers Exchange shall, within twenty (20) days after the effective date of the order, supplement its Warehouse Tariff No. 2, C.R.C. No. 2, to provide that the rates, rules and regulations shown therein will apply to the operation at Lanare.
3. The rights and privileges herein authorized to be conveyed may not be sold, leased, transferred nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to such sale, lease, transfer, assignment or discontinuance has first been secured.

The authority herein granted will become effective upon the date hereof.

Dated at San Francisco, California, this 28th day of December, 1936.

W. B. Harris
John W. Adams
William M. ...
Francis ...
Commissioners.