

Decision No. 32851

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ELVA DE PUE MATTHEWS,)
(doing business under the fictitious)
name of De Pue Warehouse Company),)
for an Order authorizing and permit-)
ting her to execute a mortgage on two)
public warehouses and the equipment)
used in connection therewith.)

Application No. 21976

ORIGINAL

Charles S. Wheeler, Jr., for applicant.

BY THE COMMISSION:

OPINION AND ORDER

This is an application by Elva De Pue Matthews, doing business under the firm name and style of De Pue Warehouse Company, to execute a deed of trust and to issue a promissory note in the principal amount of \$10,000.00 payable in the amount of \$100200 on June 1, 1940, and \$100.00 per month thereafter until June 1, 1943 when the entire balance of principal and interest then unpaid shall become due and payable, with interest at the rate of 5½% per annum.

The real property to be subjected to the lien of the deed of trust consists of parcels of land in Williams and Delavan upon which are situate public warehouses operated by applicant. Said real property is described in the application as follows:-

Parcel No. 1

That certain real property situate in the County of Colusa, State of California, viz:

COMMENCING at a point on the southwesterly line of Fifth Street in the said Town of Williams, where said line is intersected by the southeasterly line of "F" street produced and running thence southwesterly along said southeasterly line of "F" Street produced 61 feet to a point distant 50 feet from the center line of the Northern Railway Company's Railroad, thence at right angles southeasterly 700 feet, thence at right angles northeasterly 61 feet, thence at right angles northwesterly 700 feet to the point of beginning, being the same lands deeded by the Northern Railroad Company to J.C.Stovall, by Deeds dated August 29th, 1876, July 27th, 1880, and May 5th, 1881.

ALSO LOTS Numbered 17, 18 and 19 in Block Numbered 35 of the City of Williams, as said lots and block are shown on the official Map or plat of the said City of Williams on file in the office of the County Recorder of the said County of Colusa, State of California.

Parcel No. 2.

All that certain piece or parcel of land situate, lying and being in the southwest quarter of Section 3, Township 17 North, Range 3 West, Mount Diablo Base and Meridian, County of Colusa, State of California, more particularly described as follows, to-wit:

COMMENCING at the southwest corner of said Section 3; thence east along the south line of Section 3, a distance of 286.7 feet to a point distant 200 feet easterly measured at right angles from the center line of Southern Pacific Railroad Company's main track at Engineer Station 2769-34.4; thence northerly along the easterly line of Southern Pacific Railroad Company's right of way, parallel with said center line of main track, a distance of 1114.6 feet to the point of beginning of the parcel of land to be described; thence continuing northerly along said easterly right of way line, parallel with said center line of main track, a distance of 832.0 feet to a point; thence westerly at right angles from said easterly right of way line, a distance of 93.9 feet to a point; thence southerly at right angles from last described course, parallel with said center line of main track, a distance of 832.0 feet to a point; thence easterly at right angles from last described course, a distance of 93.9 feet to the point of beginning, containing an area of 1.79 acres, more or less.

It appears that applicant is engaged in operating some sixteen grain and rice warehouses at various locations in the Sacramento Valley and one general merchandise warehouse in San Francisco. It is reported that the funds to be realized through the issue of the note are required to pay general current obligations incurred in connection with applicant's warehouse business.

The Commission has considered this matter and is of the opinion that a public hearing is not necessary, that the request of applicant should be granted, as herein provided, that the money, property or labor to be procured or paid for is reasonably required by applicant for the purpose specified herein, therefore,

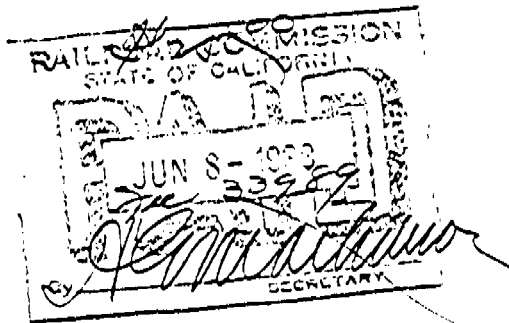
IT IS HEREBY ORDERED that Elva De Pue Matthews be, and she hereby is, authorized to execute a deed of trust in or substantially in the same form as that filed in this proceeding as Exhibit "B" and to issue a promissory note in the principal amount of \$10,000.00 payable as

indicated herein, with interest at the rate of 5 $\frac{1}{2}$ % per annum for the purpose of paying current obligations, provided that-

1. The authority herein granted to execute a 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
2. Within thirty(30) days after the issue of the note herein authorized, applicant shall file with the Commission a true and correct copy thereof; and
3. 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(\$25.00) Dollars.

Los Angeles
DATED at ~~San Francisco~~ California, this 6th day of June,

1938.



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Commissioners.