

Decision No. 21813.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application
of F.E.Clark to sell and Barnes
Brothers to purchase Elmira Grain
Warehouse. } Application No. 21813

BY THE COMMISSION:

OPINION AND ORDER

ORIGINAL

By this application F.E.Clark seeks authority to sell and J.R.Barnes and H.C.Barnes seek authority to purchase certain public warehouse property located at Elmira.

The property involved in the proposed transfer consists of an undivided one-third interest in the Elmira Grain Warehouse, which according to the application consists of an acre of land, together with improvements, situated in Section 19, Township 6, Range 1 East, Township of Elmira, Solano County. The consideration to be paid by purchasers is \$1,000.00.

The service presently afforded the public will not curtailed by the present transfer. It does not appear that this is a matter in which a public hearing is necessary. The application will be granted.

IT IS HEREBY ORDERED that F.E.Clark be and he is hereby authorized to transfer his undivided one-third interest in the Elmira Grain Warehouse to J.R.Barnes and H.C.Barnes, subject to the following conditions:

- (1) That the consideration to be paid for the property herein authorized to be transferred shall never be urged as a measure of value of said property for rate fixing purposes or any purpose other than the transfer herein authorized.

(2) That F.E.Clark, J.R.Barnes and H.C.Barnes shall immediately supplement the tariff now on file with this Commission in the name of the Elmira Grain Warehouse, said F.E.Clark effecting a withdrawal therefrom and said J.R.Barnes and H.C.Barnes adopting and establishing said tariff as their own.

(3) That the rights and privileges herein authorized to be conveyed may neither be sold, leased, transferred nor assigned nor may service thereunder be discontinued in the absence of the written authorization of this Commission to such sale, lease, transfer, assignment or discontinuance.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 13th day of June, 1938.

Mallochman,
Lion O'Connell
Samuel M. M.
D. A. W. H. S.
W. A. Kelly
Commissioners