

Decision No. 31404

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
ROBBINS WAREHOUSE COMPANY
for permission to execute a deed of
trust and mortgage and to issue a
note.

} Application No. 22318

BY THE COMMISSION:

OPINION AND ORDER

ORIGINAL

This is an application for an order authorizing Joseph C. Hornall and L.P. Henigan, co-partners doing business under the firm name and style of Robbins Warehouse Company, to execute a Deed of Trust and a Mortgage of Crops and Chattels and to issue a promissory note in the principal amount of \$6,000. payable in annual installments of \$750., commencing October 18, 1939 and continuing to October 18, 1946, when the entire balance of principal and interest then unpaid shall be due and payable, with interest at the rate of seven per cent. per annum, for the purpose of financing in part the cost of a warehouse building.

It appears that applicants on March 31, 1938 entered into a verbal agreement with Sutter Basin Corporation, Ltd. to purchase for \$8,000. cash a warehouse building located at Subaco railroad station generally known as Subaco No. 5. Thereafter they filed with the Commission their warehouse tariff (C.R.C. No. 1, issued May 27, 1938, effective June 1, 1938) naming rates for storage at that point.

It appears that the warehouse properties were acquired by the Sutter Basin Corporation or its predecessor in 1919. In the application the original cost of the property, including the real estate, building and equipment, is reported at \$32,404.75 and the estimated present value at \$16,496.75. The warehouse itself is of frame construction,

with corrugated iron roof and sides and has a capacity of 245,200 cubic feet.

To pay the balance due on the purchase price, applicants desire to borrow \$6,000. from the Bank of America National Trust and Savings Association, Knights Landing Branch. The loan will be represented by a seven per cent. note, payable at the rate of \$750. annually, until October 18, 1946 when the unpaid balance becomes due. The payment of the note will be secured by a Deed of Trust and a Mortgage of Crops and Chattels. Copies of each instrument have been filed with us. They are in satisfactory form.

The Commission has considered the application and is of the opinion that a public hearing is not necessary and that the requests of applicants should be granted, as herein provided, therefore,

IT IS HEREBY ORDERED that Joseph C. Hornall and L. P. Henigan, co-partners doing business under the firm name and style of Robbins Warehouse Company, be, and they hereby are authorized, for the purpose of financing in part the cost of the warehouse properties referred to herein, to execute a Deed of Trust and a Mortgage of Crops and Chattels in or substantially in the same form as those filed in this proceeding, and to issue a promissory note in the principal amount of \$6,000. payable on or before October 18, 1946 with interest at not exceeding seven per cent. per annum, it being the opinion of the Commission, that the money, property or labor to be procured or paid for through such issue is reasonably required for the purpose specified herein and that the expenditure for such purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income.

IT IS HEREBY FURTHER ORDERED as follows:-

1. The authority herein granted to execute a Deed of Trust and a Mortgage of Crops and Chattels is for the purpose of this proceeding

only and is granted only insofar as this Commission has jurisdiction under the terms of the Public Utilities Act, and is not intended as an approval of said instruments as to such other legal requirements to which they may be subject.

2. Within thirty(30) days after the issue of the note herein authorized, applicants shall file with the Commission a copy of the note as actually executed.

3. The authority herein granted will become effective when applicants have paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is Twenty-five (\$25.00) Dollars.

DATED at San Francisco, California, this 31st day of October, 1938.

Robert A. Hynes
Leon A. Hynes
Frank R. Hynes
Ray L. Riley

Commissioners.

