

Decision No. 34055

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Appli-
cation

-of-

WILLIAM DOLD, doing business
under the firm name and style
of "SIXTEENTH STREET PUBLIC
BEAN AND GRAIN CLEANER AND
WAREHOUSE" for an order auth-
orizing said Company to borrow
money and execute a promissory
note, chattel mortgage and
deed of trust therefor.

Application No. 24655

ORIGINAL

Downey, Brand & Seymour and Otto Rohwer,
for Applicant.

BY THE COMMISSION:

O P I N I O N

William Dold, doing business under the firm name and style of Sixteenth Street Public Bean and Grain Cleaner and Warehouse, hereinafter sometimes referred to as applicant, asks permission to issue a \$35,000 note for the purposes hereinafter stated, and to secure the payment of such note by the execution of a mortgage of chattels and a deed of trust. A copy of the proposed note, a copy of the proposed mortgage of chattels, and a copy of the proposed deed of trust are filed in this proceeding as Exhibits A, B, and C, respectively.

Applicant is engaged in the business of public utility warehouseman serving the general public in and near the City of Sacramento, and is also engaged in the business of cleaning beans and grain.

As of November 30, 1941, he submits a financial statement showing his assets and liabilities applicable to his warehouse and bean and grain cleaning business as follows:

ASSETS

Property investment - net		\$25,861.92
Real Estate	\$34,500.00	
Equipment	1,194.28	
Machinery	4,010.83	
Office Equipment	753.91	
Subtotal	<u>\$40,459.02</u>	
Less accrued depreciation	<u>14,597.10</u>	
Current assets		33,277.53
Advances to customers	16.39	
Cash in bank	2,408.75	
Customers' accounts receivable	29,502.39	
Inventory	1,350.00	
Unexpired insurance		<u>97.87</u>
Total Assets		<u>\$59,237.32</u>

LIABILITIES

Proprietor's investment including surplus earnings		\$25,833.60
Current liabilities		33,403.72
Accounts payable	\$16,579.91	
Contract payable	16,150.22	
Note payable	500.00	
Accrued taxes	138.93	
Advance drayage	<u>34.66</u>	
Total Liabilities		<u>\$59,237.32</u>

In addition to the above mentioned properties applicant proposes to acquire Lots 19 and 27 of the 16th Street Industrial Subdivision, as the same is delineated and described upon the map of said subdivision on file in the County Recorder's Office in the County of Sacramento, State of California. The testimony shows that Lots 19 and 27, and the two warehouse buildings situate thereon, have a value of about \$30,000.

Applicant now owns Lots 20, 21, 28 and 29 in said 16th Street Industrial Tract, and the warehouse buildings situate thereon. He has been renting Lots 19 and 27 and using the same in the conduct of his warehouse and bean and grain cleaning business. For the use of the same he has been paying a monthly rental of about \$238. The amount necessary to complete the purchase price of Lots 19 and 27 is reported at \$10,692.34.

Applicant is indebted to The Capital National Bank of Sacramento for the sum of \$24,276.53. For the purpose of refunding this indebtedness and paying the \$10,692.34, applicant asks permission to issue to said The Capital National Bank of Sacramento his note for the sum of \$35,000, payable with interest at the rate of 6% per annum. The sum of \$400 is payable on December 28, 1941, and a like sum on the 28th day of each and every month thereafter until November 28, 1946, when the entire balance becomes due and payable.

The payment of the note will be secured by a mortgage of chattels (Exhibit B) which will be a lien on a bean cleaner and by a deed of trust (Exhibit C) which will be a lien on said Lots 19, 20, 21, 27, 28 and 29. Both instruments are in satisfactory form.

ORDER

A public hearing having been held on the above entitled matter before Examiner Fankhauser; the Commission having considered the evidence submitted at such hearing; and it being of the opinion that the money, property or labor to be procured or paid for by William Dold, doing business under the

firm name and style of Sixteenth Street Public Bean and Grain Cleaner and Warehouse, through the issue of a \$35,000 note is reasonably required by him for the purposes herein stated; and that this application should be granted subject to the provisions of this order, therefore,

IT IS HEREBY ORDERED as follows:

1. William Dold, doing business under the firm name and style of Sixteenth Street Public Bean and Grain Cleaner and Warehouse, may, after the effective date hereof and on or before April 1, 1942, issue to The Capital National Bank of Sacramento his 6% note for the principal sum of \$35,000, said note to be in substantially the same form as the note filed in this proceeding as Exhibit A.

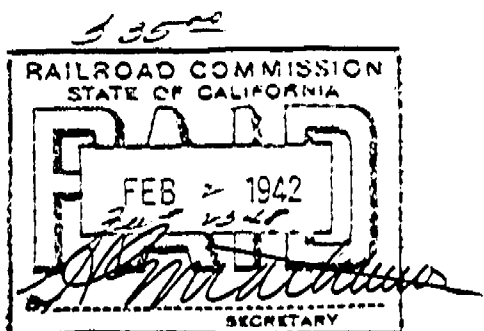
2. For the purpose of securing the payment of said note, William Dold, doing business under the firm name and style of Sixteenth Street Public Bean and Grain Cleaner and Warehouse, may, after the effective date hereof and on or before April 1, 1942, execute a mortgage of chattels and a deed of trust in substantially the same form as the mortgage of chattels and the deed of trust filed in this proceeding as Exhibits B and C, respectively, provided that the authority herein granted to execute a mortgage of chattels and a deed of trust 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 mortgage of chattels and said deed of trust as to such other legal requirements to which said mortgage of chattels and said deed of trust may be subject.

3. William Dold, doing business under the firm name and style of Sixteenth Street Public Bean and Grain Cleaner and Warehouse, shall use the proceeds realized through the issue of said \$35,000 note to pay the balance due on the purchase price of Lots 19 and 27, referred to in the foregoing opinion, and to pay \$24,276.54 due The Capital National Bank of Sacramento, and expenses incident to this proceeding.

4. The authority herein granted will become effective when William Dold, doing business under the firm name and style of Sixteenth Street Public Bean and Grain Cleaner and Warehouse, has paid the fee prescribed by Section 57 of the Public Utilities Act, which fee is Thirty five (\$35.00) Dollars.

5. Within thirty (30) days after the issue of the note herein authorized, William Dold, doing business under the firm name and style of Sixteenth Street Public Bean and Grain Cleaner and Warehouse, shall file with the Railroad Commission a statement showing the purposes for which he expended the proceeds realized through the issue of said \$35,000 note, and shall also file with the Railroad Commission a true and correct copy of the note issued under the authority herein granted, and of the mortgage of chattels and of the deed of trust executed under said authority.

Dated at San Francisco, California, this 27th day of January, 1942.



[Signature]
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Justus F. Calver
[Signature]
Commissioners