

Decision No. 35931

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of C. F. Quiggle dba Valley Ware- )  
house Company and G. W. Carder dba )  
G. W. Carder & Sons for an order )  
authorizing sale of warehouse prop- )  
erty and equipment. )

Application No. 25320

BY THE COMMISSION:

OPINION AND ORDER

By this application, C. F. Quiggle, an individual doing business as Valley Warehouse Company, seeks authority to sell and G. W. Carder, an individual doing business as G. W. Carder & Sons, seeks authority to purchase public utility warehouse property situated at Palora, Sutter County, and known as "Valley Warehouse No. 7." Quiggle proposes to discontinue public storage service at this location; Carder proposes to provide service similar to that now provided by Quiggle and under the same rates.

The purchaser agrees to pay for the properties \$7,000 in cash. It is of record that he has on hand \$3,000 and that he proposes to obtain the remainder, to-wit, \$4,000 through the issue of a 6%, \$4,000 note to The Capital National Bank of Sacramento. The interest on the note is payable monthly while the principal is payable in installments of \$1,000 per annum. The payment of the note will be secured by a deed of trust which will be a lien on the property which G. W. Carder will acquire from C. F. Quiggle. A copy of the proposed note and a copy of the deed of trust are on file in this proceeding.

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This property is described in the proposed bill of sale attached to the application as Exhibit "A".

Therefore, good cause appearing,

IT IS HEREBY ORDERED that C. F. Quiggle be and he is hereby authorized to transfer his public utility warehouse property located at Palora, Sutter County, and known as "Valley Warehouse No. 7," to G. W. Carder, in accordance with the terms of the proposed bill of sale attached to the application as Exhibit "A".

IT IS HEREBY FURTHER ORDERED that immediately upon the transfer of the aforesaid warehouse property, tariffs on file with the Commission naming rates, rules and regulations covering the warehouse operations involved herein shall be amended, on not less than five (5) days' notice to the Commission and to the public, to show that C. F. Quiggle has withdrawn from or canceled said rates, rules and regulations and that G. W. Carder has concurrently adopted or established them as his own; and that the tariff filings made pursuant to this order shall, in other respects, comply with the regulations governing the construction and filing of warehouse tariffs set forth in the Commission's General Order No. 61.

IT IS HEREBY FURTHER ORDERED that G. W. Carder may, after the effective date hereof and on or before December 31, 1942, issue a 6% note for the sum of not exceeding \$4,000 and execute a deed of trust to secure the payment of such note for the purpose of financing in part the purchase of said warehouse properties, said note and said deed of trust to be in substantially the same form as the note and deed of trust on file in this proceeding, provided that the authority herein granted to execute a deed of trust is for the purpose of this proceeding only, and is granted only in so far 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 said deed of trust may be subject.

IT IS HEREBY FURTHER ORDERED that within thirty (30) days after the issue of said note and the execution of said deed of trust G. W. Carder shall file with the Railroad Commission a copy of the note and a copy of the deed of trust executed under the authority herein granted.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective when G. W. Carder has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is \$25.00.

Dated at San Francisco, California, this 5<sup>th</sup> day of November, 1942.

*Justice F. Coe*  
*W. H. K.*  
*Francis L. Darrow*  
*Richard C. ...*  
Commissioners

RAILROAD COMMISSION  
STATE OF CALIFORNIA  
NOV 18 1942  
*A. M. ...*  
BY #7877 \$25.00  
SECRETARY