

Decision No. 35950

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of

MAURICE STRAIN, doing business
under the firm name and style of
"STRAIN'S PUBLIC WAREHOUSE"

For an Order authorizing said
Company to Borrow Money and Execute
a Promissory Note, Chattel Mortgage
and Deed of Trust Therefor.

Application
No. 25346

ORIGINAL

BY THE COMMISSION:

O P I N I O N

Maurice Strain, doing business under the firm name and style of Strain's Public Warehouse, has for many years last past been, and now is, engaged in the business of cleaning rice, beans, barley, wheat and other grains, and in the public utility business of warehouseman serving the general public in and near Sutter Station, Sutter County, California.

For 1941, applicant reports operating revenues at \$94,279.07, segregated into \$37,711.46 of public utility warehouse operating revenues and \$56,567.61 of non-public utility revenues. Applicant's net income for the year is reported at \$8,239.97.

As of October 1, 1942, applicant reports assets and liabilities as follows:

ASSETS

Real Estate	\$ 550.00
Sutter Warehouse	15,142.17
Plant and Equipment	26,386.24
Autos	1,609.63
Cash	197.79
Accounts Receivable	29,924.85
Transit Freight	<u>396.87</u>
Total Assets	<u>\$74,207.55</u>

LIABILITIES

Proprietor's Investment	\$33,933.42
Note Payable, secured by mortgage	10,834.20
Note Payable, unsecured	4,802.29
Accounts Payable	8,276.02
Taxes Payable	47.69
Reserve for Depreciation	<u>16,313.93</u>
Total Liabilities	<u>\$74,207.55</u>

Applicant asks permission to issue to the Capital National Bank of Sacramento his 5% note for the principal sum of \$20,000, payable in monthly installments of \$350.00. The payment of the note will be secured by a mortgage of chattels, which will be a lien on the warehouse equipment and other personal property described in Exhibit B, and by a deed of trust which will be a lien on the real property described in Exhibit C. A copy of the mortgage of chattels and a copy of the deed of trust are on file in this proceeding as Exhibits B and C, respectively.

Applicant asks permission to use the \$20,000 to pay \$16,590.89 due on two notes held by the First National Bank of Oroville, and to pay other indebtedness and operating expenses.

O R D E R

The Commission having considered applicant's request and it being of the opinion that this is not a matter on which a hearing is necessary; that applicant has need for the money which he will realize through the issue of the note herein authorized, and that this application should be granted, subject to the provisions of this order, therefore,

IT IS HEREBY ORDERED as follows:

1. Maurice Strain, doing business under the firm name and style of Strain's Public Warehouse, be, and he is hereby, authorized to issue after the effective date hereof and on or before December 31, 1942, his 5% promissory note in the amount of not exceeding \$20,000, for the purpose of paying indebtedness and operating expenses, said note to be in substantially the same form as the note filed in this proceeding as Exhibit A.

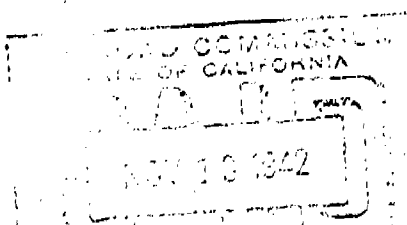
2. Maurice Strain, doing business under the firm name and style of Strain's Public Warehouse, be, and he is hereby, authorized to secure the payment of said note by the execution of a mortgage of chattels and a deed of trust in substantially the same form as the mortgage of chattels and deed of trust filed in this proceeding as Exhibit B and Exhibit 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. The authority herein granted will become effective when Maurice Strain, doing business under the firm name and style of Strain's Public Warehouse, has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is Twenty-five (\$25.00) Dollars.

4. Within sixty (60) days after the issue of the note herein authorized, said Maurice Strain, doing business under the firm name and style of Strain's Public Warehouse, shall file with the Railroad Commission a statement showing the purposes for which he expended the monies obtained through the issue of said note, together with a copy of the mortgage of chattels and a copy of the deed of trust executed to secure the payment of said note.

Dated at San Francisco, California, this 10th day of November.



Handwritten signature and numbers: 47230, 25.00

Francis R. Havenner
Richard R. ...
Commissioners