

Decision No. 36583

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
FRANK FORD and JAMES HARRY, co-partners, )  
doing business under the firm name and )  
style of FORD & HARRY TRANSFER & STORAGE )  
CO., Crissy C. Ford, the wife of said )  
Frank Ford, and Blanche C. Harry, the )  
wife of said James Harry, sometimes )  
designated as "Ford & Harry," to sell and )  
of LYON VAN & STORAGE CO. a California )  
corporation, to purchase certain real and )  
personal property. )

Application No. 25711

MUSICK, BURRELL & PINNEY, by HOWARD BURRELL,  
for both parties.

CRAEMER, COMMISSIONER:

**O P I N I O N**

This is an application by Frank Ford, James Harry, Crissy C. Ford and Blanche C. Harry, co-partners, doing business under the firm name of Ford & Harry Transfer and Storage Co., hereinafter referred to as Ford and Harry, to sell to Lyon Van & Storage Co., a corporation, hereinafter referred to as Lyon, certain public utility warehouse property located in Sacramento.

A public hearing was held at Sacramento on August 19, 1943.

The vendors have for some years been operating a transfer and storage business in Sacramento. It is proposed to dissolve the partnership and to transfer certain real property and the improvements thereon, together with certain automotive equipment, including trucks, warehouse equipment, tires, etc., and thereafter to discontinue the public utility warehouse business. No operative rights are involved. Lyon proposes to continue the public warehouse business at the same rates as those heretofore charged by Ford and Harry.

An agreement was entered into on June 1, 1943, between the parties, a copy of which was introduced in evidence. The total consideration is \$26,000, payable in cash, of which sum \$17,000 represents the value of real estate and improvements, \$7,964.30 automotive equipment and tires, and \$1,035.70 office equipment of the co-partnership.

Lyon Van & Storage Co. owns and operates public warehouses in California. Its activities are limited to the storage of second-hand household goods and effects and to the warehousing of airplane parts for export. The proposed acquisition of the business and property of the sellers will afford the purchaser warehousing facilities in the city of Sacramento, and will give the Sacramento warehouse additional outlets and connections. Ford and Harry have acted as Lyon agents in Sacramento for several years.

Frank Ford, representing the vendor applicant, testified that less than 5 per cent of the company's business was commercial storage and that the balance was the storage of household goods. His reason for wishing to retire from the business is based upon a desire to be relieved of this responsibility under prevailing war conditions. He expressed a certain apprehension over the probable status of the warehousing business following the end of the war.

Copies of the bill of sale, grant deed and financial statement of vendor and vendee are attached to the application.

Upon the record herein, it appears that the proposed transfer is in the public interest and that the application should be granted.

The following form of order is recommended:

O R D E R

Application having been made as above entitled, a public hearing having been held, and the Commission being of the opinion and hereby finding that public convenience and necessity so require:

IT IS ORDERED that Frank Ford, James Harry, Crissy C. Ford and Blanche C. Harry, a co-partnership, doing business as Ford & Harry Transfer & Storage Co., be and they are hereby authorized to sell, and Lyon Van & Storage Co., a corporation, is authorized to purchase, the real estate, improvements, automotive equipment and tires, and office equipment described in a certain agreement dated June 1, 1943, and identified as Exhibit No. 1 herein, in so far as it is used in public utility operation.

IT IS FURTHER ORDERED that the authority herein granted is subject to the condition that Frank Ford, James Harry, Crissy C. Ford and Blanche C. Harry, a co-partnership, doing business as Ford & Harry Transfer & Storage Co., and Lyon Van & Storage Co., a corporation, shall comply with the requirements of the Commission's General Order No. 61 by filing, in duplicate, and concurrently making effective tariffs satisfactory to the Commission within sixty (60) days from the effective date hereof, and on not less than five (5) days' notice to the Commission and the public.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, Sept. 7, 1943.

Francis A. Havenue

J. J. [Signature]

Justin F. [Signature]

Richard [Signature]

Francis [Signature]

COMMISSIONERS