

Decision No. 37212

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

APPLICATION OF  
ECKHART SEED COMPANY FOR  
ORDER AUTHORIZING ENCUMBRANCE

Application No. 26167

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

By its Order in Decision No. 37115, dated June 6, 1944, the Commission authorized Eckhart Seed Company to issue its 6% note or notes for the aggregate principal sum of \$20,000 to Monterey County Trust & Savings Bank and use the proceeds for the following purposes:

(1) To pay the cost of an addition to Warehouse No. 4, about	\$ 5,000
(2) To pay the cost of a spur track from Southern Pacific lines, about	10,000
(3) For two automatic scale machines:	
(a) Purchase price, about	2,500
(b) Installation cost, about	<u>2,500</u>
Total	<u>\$20,000</u>

In its First Supplemental application filed on July 1, Eckhart Seed Company asks permission to increase the face amount of the note or notes to \$23,500. The Supplemental Petition shows that bids received for the construction of the spur track indicate that it will cost about \$13,450.

The Commission is of the opinion that it should authorize C. H. Eckhart, Sr., Howard C. Eckhart and C. H. Eckhart, Jr., copartners doing business under the firm name of Eckhart Seed Company, to issue additional notes, therefore,

IT IS HEREBY ORDERED that paragraph two of the Order in Decision No. 37115, dated June 6, 1944, be, and the same is hereby, amended so as to read:

IT IS HEREBY ORDERED that C. H. Eckhart, Sr., Howard C. Eckhart, and C. H. Eckhart, Jr., copartners doing business under the firm name of Eckhart Seed Company, be, and they are hereby, authorized to issue, on or before December 31, 1944, to Monterey County Trust & Savings Bank their 6% note or notes for the aggregate principal sum of not exceeding \$23,500, said note or notes, except for the face amount thereof, to be in substantially the same form as the note filed in this application as Exhibit "A." Said applicants shall use the proceeds realized through the issue of said note or notes for the following purposes:

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|--|-----------------|
| (1) To pay the cost of an addition<br>to Warehouse No. 4, about              | \$ 5,000        |
| (2) To pay the cost of a spur track<br>from Southern Pacific lines,<br>about | 13,500          |
| (3) For two automatic scale machines:  |                 |
| (a) Purchase price, about  | 2,500           |
| (b) Installation cost, about   | 2,500           |
| Total  | <u>\$23,500</u> |

IT IS HEREBY FURTHER ORDERED that the Order in said Decision No. 37115, dated June 6, 1944, shall remain in full force and effect except as amended by this First Supplemental Order.

Dated at San Francisco, California, this 18<sup>th</sup> day of July, 1944.

Richard Lachse

Justin F. Casmen

Franklin

Frank P. Ponce  
Commissioners.