

ORIGINAL

Decision No. 37693

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CITY TRANSFER AND STORAGE COMPANY
for authority to execute deed of
trust, promissory notes, and chattel
mortgages.

Application
No. 26423

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

The Commission by its order in Decision No. 37480 dated November 21, 1944, authorized City Transfer and Storage Company to execute on or before December 31, 1944, a deed of trust and chattel mortgages, and issue the notes referred to in this application for the purpose of refunding indebtedness evidenced by the notes theretofore issued without Commission authorization. As of September 30, 1944, there was a balance of about \$89,952 due on such notes. Payments since then have reduced the amount to about \$79,500.

In a supplemental petition filed on January 19, 1945, applicant reports that it did not avail itself of the authority granted by said Decision No. 37480. The supplemental petition

further recites that applicant and Bank of America National Trust and Savings Association agreed to increase the amount of the loan to about \$142,439. Of this sum, \$10,200 is to be represented by a one year note secured by a deed of trust. The remainder, \$131,239, is to be represented by an installment note payable in monthly consecutive installments of \$4,000. The deferred payments bear interest at the rate of 6% per annum, payable monthly. The payment of the note will be secured by a mortgage of chattels which will be a lien on equipment having a value of about \$250,000. A copy of the mortgage is on file in this application as Exhibit "B" and a copy of the note as Exhibit "C" and a copy of the loan agreement as Exhibit "A."

Applicant has purchased during 1944 seven trucks and two trailers at a total cost of approximately \$68,759.71. It is for the purpose of paying in part for this new equipment that applicant is increasing its bank loan by \$50,000.

The Commission has considered applicant's request and is of the opinion that applicant's supplemental petition should be granted; that applicant has need for the additional loan, and that the Order in said Decision No. 37480 should be amended accordingly, therefore,

IT IS HEREBY ORDERED that the Order in Decision No. 37480, dated November 21, 1944, is hereby amended as follows:

(a) City Transfer and Storage Company may, after the effective date hereof and on or before April 1, 1945, execute a deed of trust similar in form to that filed in

this application as Exhibit "B" and issue a note similar in form to that filed in this application as Exhibit "A," for the purpose of refunding the balance due on the note issued on July 9, 1943.

(b) City Transfer and Storage Company may, after the effective date hereof and on or before April 1, 1945, issue an installment note for the sum of not exceeding \$131,239, said note to be in form similar to that attached to the supplemental petition as Exhibit "C;" to execute a mortgage of chattels similar in form to that attached to the supplemental petition as Exhibit "B," and to execute a loan agreement similar in form to that attached to the supplemental petition as Exhibit "A," provided the loan agreement is not construed to deprive the Commission of making any lawful order with respect to the acquisition of additional property by applicant. The proceeds of the notes shall be used for the purposes set forth in the original and supplemental petition on file in this application.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective when applicant has paid an additional fee of Fifty-two (\$52.00) Dollars required by Section 57 of the Public Utilities Act.

IT IS HEREBY FURTHER ORDERED that within thirty (30) days after City Transfer and Storage Company exercises the authority herein granted, it shall file with the Railroad Commission a copy of each note issued, a copy of the deed of trust, a copy of the mortgage of chattels and a copy of the loan agreement executed under such authority. Applicant shall also file

a statement showing the purposes for which it expended the proceeds of said note issues.

Dated at San Francisco, California, this 27th
day of February, 1945.

Harold Coulson
James F. Gallagher
Richard L. Jackson

James M. Russell
Commissioners

