

ORIGINAL

Decision No. 38335

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
Onorato Rampoldi and C. J. Coleman	:	Application
for permission to sell and purchase)	No. 26954
the Escalon Warehouse Company at	:	
Escalon, California.)	
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BY THE COMMISSION:

O P I N I O N

In this application, Onorato Rampoldi asks permission to sell to C. J. Coleman his warehouse properties and business known as Escalon Warehouse Company, including the real property on which the warehouse is located, described as follows:

Parcel One: Lots Five (5), Six (6), Seven (7), and Eight (8), in Block Four (4) of "KERN ADDITION TO ESCALON", as per map filed June 18, 1912 in Vol. 6, of Maps and Plats, page 25, San Joaquin County Records.

Parcel Two: Lots One (1) and Two (2) in Block One (1) of BJORNSON ADDITION TO ESCALON", as per map filed March 27, 1911 in Vol. 5 of Maps and Plats, page 20, San Joaquin County Records.

The investment in the warehouse land, buildings and machinery is reported at \$24,536.26.

C. J. Coleman is acquiring the properties under an agreement dated November 26, 1943. He has agreed to pay for the properties \$25,000, of which \$10,000 is payable in cash and \$15,000 is evidenced by a promissory note bearing interest at the rate of 5% per annum, payable semi-annually. The principal

is payable in annual installments of \$3,000.. The payment of the note is to be secured by a deed of trust and mortgage of chattels which are liens on said properties. A copy of the deed of trust and a copy of the mortgage of chattels are on file in this application.

C. J. Coleman will operate the warehouse properties under the rates now on file by Onorato Rampoldi..

The action taken herein shall not be construed to be a finding of value for any purpose other than the proceeding herein involved.

O R D E R

The Commission having considered this application and it being of the opinion that it is not a matter on which a hearing is necessary and that the application should be granted, subject to the provisions of this order, therefore,

IT IS HEREBY ORDERED that Onorato Rampoldi, doing business under the name of Escalon Warehouse Company be, and he is hereby, authorized to sell his warehouse properties described in this application to C. J. Coleman under and pursuant to the terms and conditions of the agreement of November 26, 1943, on file in this application.

IT IS HEREBY FURTHER ORDERED that C. J. Coleman may, after the effective date hereof and on or before December 31, 1945, issue to Onorato Rampoldi his promissory note for the principal sum of not exceeding \$15,000, and to execute a deed of trust and mortgage of chattels to secure the payment of said note.

said note, said deed of trust and said mortgage of chattels to be in form similar to the note, deed of trust and mortgage of chattels on file in this application..

IT IS HEREBY FURTHER ORDERED that applicants shall, on not less than five (5) days' notice to the Commission and to the public, supplement or reissue the tariff on file with the Commission insofar as it names rates, rules and regulations governing warehouse operations of Onorato Rampoldi to show that he has withdrawn or cancelled and that C. J. Coleman has concurrently adopted or established as his own said rates, rules and regulations, and that the tariff filings made pursuant to this order shall in all 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 the authority herein granted will become effective when C. J. Coleman has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which minimum fee is Twenty-five (\$25.00) Dollars..

Dated at Redlands, California, this 30th day of October, 1945.

Handwritten signatures of three individuals, likely the commissioners.

Frank Farrell
Commissioners

