

ORIGINAL

Decision No. 41997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
JAY S. CLARE, doing business as)
"Butte City Warehouse Company" for an) Application
Order Authorizing the Mortgage of Real) No. 29622
and Personal Property of Applicant.)
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O P I N I O N

Jay S. Clare, doing business as Butte City Warehouse Company, asks permission to issue to Bank of America National Trust and Savings Association his 4-1/2% installment note for \$60,000, and execute a deed of trust and a mortgage of chattels to secure the payment of the note. A copy of the note, a copy of the deed of trust and a copy of the mortgage of chattels are on file in this application. The note is payable in equal annual installments of \$6,000, together with interest at the rate of 4-1/2% per annum. The first of such installments is payable on June 25, 1949.

Applicant is a warehouseman engaged in the general business of grain storage and drying and cleaning grain, with places of business at Princeton and Butte City, California. In his annual report for the year 1947 he reports storage revenue of \$40,401.31 and other revenue of \$65,031.18, making a total of \$105,432.49. His net income for the year is reported at \$19,110.10.

Applicant as of July 1, 1948, reports assets and liabilities as follows:

Assets

Real estate	\$ 98,138.46
Machinery	39,660.00
Fixtures	725.00
Automobiles and trucks	3,800.00
Investments	1,184.65
Cash in bank	15,663.54
Accounts receivable	<u>28,117.02</u>

Total assets	<u>\$187,288.67</u>
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Liabilities

Real estate mortgages	\$ 55,674.78
Chattel mortgages and contracts	9,382.00
Accounts payable	9,880.32
Reserve for depreciation	23,991.08
Net worth	71,849.27
Earned surplus	<u>16,511.22</u>

Total liabilities	<u>\$187,288.67</u>
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Applicant is presently indebted to Bank of America National Trust and Savings Association in the amount of \$52,560.79. This is the balance due on indebtedness previously authorized by the Commission. For the purpose of refunding such indebtedness and obtaining funds for the improvement and maintenance of his warehouse service, applicant asks permission to issue said \$60,000 note.

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, that the money, property or labor to be procured or paid for through the issue of said \$60,000 note is reasonably required by Jay S. Clare for the purposes herein

stated, and that this application should be granted, subject to the provisions of this order; therefore,

IT IS HEREBY ORDERED as follows:

1. Jay S. Clare, after the effective date hereof and on or before November 1, 1948, may issue to Bank of America National Trust and Savings Association his 4-1/2% promissory installment note for the principal sum of not exceeding \$60,000, and execute a deed of trust and a mortgage of chattels to secure the payment of said note, said note, said deed of trust and said mortgage of chattels to be in, or substantially in, the same form as the note, deed of trust and mortgage of chattels on file in this application.
2. Jay S. Clare shall use the proceeds obtained through the issue of said note to pay or refund an indebtedness of not exceeding \$52,560.79 payable to Bank of America National Trust and Savings Association, and for the improvement or maintenance of his warehouse service.
3. The authority herein granted will become effective when applicant has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is twenty-five (\$25.00) dollars.
4. Within thirty (30) days after the issue of the note herein authorized, applicant shall file with the Commission a copy of the note, a copy of the deed of trust and a copy of the mortgage of chattels executed under the authority herein granted.

Dated at San Francisco, California, this 31st day
of August, 1948.

R. J. Dineen
James H. Luce
Samuel H. Potter

Commissioners

