

ORIGINAL

Decision No. 43306

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of Western Truck Lines, Ltd., a )  
California Corporation, to execute )  
agreements of sale, deeds to real )  
property owned by the corporation and )  
receive trust deed notes in payment )  
thereof. )  
----- )

Application  
No. 30565

OPINION AND ORDER

This is an application for an order of the Commission authorizing Western Truck Lines, Ltd. to sell certain properties.

Western Truck Lines, Ltd. is a California corporation engaged in business as a highway common carrier of property under certificates of public convenience and necessity granted by this Commission and as an interstate common carrier of property in the states of Arizona, Nevada, California and Texas under certificates issued by the Interstate Commerce Commission. Its reports filed with this Commission show that its outstanding stock is held by Cantlay and Tanzola, Inc.

The application shows that prior to February 1, 1945, applicant was the owner of certain real properties,<sup>(1)</sup> together with

(1) Blythe:  
Lots 7 to 14 inclusive in Block 5 of C.C.Hobson's Tract No. 1 as shown by Map on file in Book 10, Page 27 of Maps, Records of Riverside County, California.  
Lone Pine:  
Lots 1 and 4 of Block 5 of the Town of Lone Pine, in the County of Inyo, State of California, as per map recorded in Book "1", Page 53 of Maps in the Office of the County Recorder of said Inyo County.  
Bishop:  
Lots 1, 4, 5 and 8 in Block "0" of the Academy Addition, in the City of Bishop, County of Inyo, State of California, as per map thereof on file in the office of the County Recorder of said Inyo County.

terminal facilities constructed thereon, located in Blythe, Lone Pine and Bishop, California, and that on or about February 1, 1945, it entered into agreements to sell said properties to C & T Corporation for the total sum of \$18,980, payment to be made in monthly installments aggregating \$171, with interest at the rate of 3% per annum, title to be delivered upon the payment of the final installments under the agreements. The C & T Corporation, according to the application, is a California corporation engaged in the business of owning real property, all of its outstanding stock being held by Richard Cantlay and Joseph Tanzola.

The properties covered by the agreements of sale have been improved and now are occupied by applicant, as terminal sites, under lease arrangements running for terms of ten years ending January 31, 1955, at monthly rentals aggregating \$500.

It is now reported that on or about December 31, 1948, applicant and C & T Corporation agreed that the purchases would be consummated, that applicant would execute grant deeds conveying the properties to C & T Corporation and that said corporation would issue to applicant its 3% notes for the remainder of the unpaid purchase prices, which amounted to \$9,063, payable in monthly installments aggregating \$171, payment to be secured by deeds of trust covering said properties. It is reported that the grant deeds as well as the deeds of trust have not yet been recorded, and that record title to the properties still stands in applicant's name.

While applicant did not obtain from this Commission authorization to sell said properties, it alleges that its failure to obtain such authorization, prior to the consummation of the transactions, was through inadvertence. It now seeks the Commission's

approval of the transfers on the terms outlined herein. The transfers, it appears, will not affect the continued use of the properties in applicant's transportation service.

The Commission has considered this matter and is of the opinion that a public hearing thereon is not necessary, and that an order should be entered authorizing applicant to sell said properties; therefore,

IT IS HEREBY ORDERED as follows:

1. Western Truck Lines, Ltd., after the effective date hereof and on or before December 31, 1949, may sell to C & T Corporation the properties referred to in this application under the terms outlined in this application.

2. Within thirty (30) days after execution, applicant shall file with the Commission a copy of each grant deed executed by it under the authority herein granted.

3. The authority herein granted will become effective twenty (20) days after the date hereof.

Dated at Los Angeles, California, this 20<sup>th</sup> day of September, 1949.

R. F. Anderson  
Justice J. G. Green  
Just. K. J. Kelly  
Harold P. Hula  
Thomas E. Latta  
Commissioners