

ORIGINAL

Decision No. 42383

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Southern Pacific Milling Company, a )  
corporation, as Seller, and Ernest J. ) Application  
Evans, as Buyer, for an Order Authori- ) No. 30661  
zing Sale of Warehouse Property. )  
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OPINION AND ORDER

Southern Pacific Milling Company owns and operates, at El Rio, Ventura County, California, the warehouse properties described as follows:

"That portion of Subdivision 21 of the Rancho El Rio de Santa Clara o' La Colonia, in the County of Ventura, State of California, described as follows:

"Beginning at the intersection of the easterly line of the Right of Way of the Southern Pacific Railroad with the west line of Saviers Road; thence along the west line of Saviers Road, north 30° 58' east to the southeast corner of that certain parcel of land conveyed to Albert T. Petersen and wife, recorded in Book 781, page 153 of Official Records; thence along the boundary of said land of Petersen and wife; north 81° 11' west 318.90 feet, south 2° 47' east 12.05 feet and south 87° 11' west 96.66 feet to a point in the easterly line of said Right of Way of Southern Pacific Railroad; thence southerly along said easterly line to the point of beginning;

together with structures situated thereon."

The cost of the land, buildings and equipment is reported at \$58,336.21 and the depreciated cost at \$39,287.85. The company has agreed to sell said warehouse properties to Ernest J. Evans for \$62,500, payable in cash.

Southern Pacific Milling Company is engaged in a program of consolidating and unifying its various operations, so as to effect

economies of operation and more efficient management of its facilities and services. The company finds that its warehouse at El Rio does not lend itself to its coordination and unification program.

Ernest J. Evans, the purchaser of said warehouse properties, has for many years owned and operated warehouses, particularly for the purpose of warehousing beans in the Southern California area, and has engaged extensively in the business of buying, selling, processing, packaging and warehousing agricultural and food products, particularly beans, in the Los Angeles area. He is acquiring the El Rio warehouse and expanding the warehouse facilities there to store beans which he purchases as well as beans owned by growers. Because of the lack of warehouse space, the Milling Company with the consent of Evans is constructing, at an estimated cost of \$12,500, three additional bins to store beans in bulk. Upon the transfer of the properties, Evans will pay the Milling Company the cost of the new bins.

Inasmuch as the harvesting of beans is now in process, applicants ask that the authority to transfer the properties be made effective upon the date of this decision.

Ernest J. Evans will adopt the tariff now in effect for said warehouse.

The action taken herein shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

The Commission has considered this application and is of the opinion that a public hearing thereon is not necessary, and that

this application should be granted; therefore,

IT IS HEREBY ORDERED as follows:

1. Southern Pacific Milling Company, on or before October 30, 1949, may sell to Ernest J. Evans, pursuant to the terms of the agreement on file in this application as Exhibit "A", its warehouse properties situated at El Rio and referred to in this application.
2. Applicants, on not less than five (5) days' notice to the Commission and to the public, shall supplement or reissue the tariffs on file with the Commission insofar as they name rates, rules and regulations governing warehouse operations of Southern Pacific Milling Company at El Rio to show that said Southern Pacific Milling Company has withdrawn or canceled and Ernest J. Evans concurrently has adopted or established as his own, said rates, rules and regulations. The tariff filings made pursuant to this opinion and order shall, in all other respects, comply with the regulations governing the filing of warehouse tariffs set forth in the Commission's General Order No. 61.
3. Within thirty (30) days after the sale of said warehouse properties, Ernest J. Evans shall file with the Commission a copy of the deed and bill of sale under which he acquires and holds title to said warehouse properties.
4. The authority granted by this decision is effective upon the date hereof.

Dated at Los Angeles, California, this 11<sup>th</sup> day of  
October, 1949.

R. E. Anderson  
Justin F. Cramer  
Harold P. Kule  
Samuel L. Lott

Commissioners