

Decision No. 26525.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of THE WESTERN PACIFIC RAILROAD  
COMPANY, a corporation, and SOUTHERN  
PACIFIC COMPANY, a corporation, for  
an order approving a certain agreement  
between The Western Pacific Railroad  
Company and Southern Pacific Company  
covering maintenance, use and removal  
of certain track crossings at Oakland,  
California.

ORIGINAL

Application No. 19168.

BY THE COMMISSION:

O R D E R

In this proceeding, filed November 1, 1933, The Western Pacific Railroad Company, a corporation, and Southern Pacific Company, a corporation, request an order approving a certain agreement between aforesaid parties, relative to the maintenance, use and removal of a certain track crossing located on private property between Oak and Fallon Streets, on the approximate line of Third Street projected easterly from Oak Street in the City of Oakland, Alameda County, California.

The Western Pacific Company's main line crosses two spur tracks of Southern Pacific Company at the above locations. It is proposed to remove the crossing on the most westerly spur track and store the crossing frogs adjacent thereto so that they can be replaced on short notice if need be.

It appears that the crossing is unnecessary for public convenience and necessity at the present time, that a public hear-

ing is not necessary and that the application should be granted.

IT IS HEREBY ORDERED that the agreement entered into between The Western Pacific Railroad Company and Southern Pacific Company, dated May 1, 1933, a certified copy of which is attached to the application, covering the terms of maintenance, use and removal of a certain track crossing between Oak and Fallon Streets in the City of Oakland, County of Alameda, California, at the location as shown on the map (marked Western Division Drawing No. O-1328, Sheet No.1) attached to and made a part of the application, be and the same is hereby approved.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 13<sup>th</sup> day of November, 1933.

C. J. Leamy  
Leon Whitely  
W. G. Lane  
M. B. Harris  
Walter H. Hays  
Commissioners.