277,36-Decision No.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

)

In the Matter of the Application of LAWRENCE WAREHOUSE COMPANY, a corporation, and HASLETT WAREHOUSE COMPANY, a corporation, for an order authorizing the sale and assignment of certain property and authorizing said parties to enter into agreement of December 29, 1931.

Application No. 17934

OPIGIPIA

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

In the supplemental petition filed in the above entitled matter on May 23, 1934, the Railroad Commission is asked to enter an order authorizing The Haslett Warehouse Company and Lawrence Warehouse Company to execute a supplemental agreement dated April 25, 1934.

By Decision No. 24696, dated April 18, 1932, the Commission, among other things, authorized the two companies to execute an agreement substantially in the same form as the agreement dated December 29, 1931 filed in this application as Exhibit "A". That agreement, among other things, contemplated that for a term of ten years The Heslett Warehouse Company would conduct and operate under its sole control and direction all of the public warehouse and drayage business then operated by Lawrence Warehouse Company in Alameda County.

Among the warehouses so taken over by The Haslett Warehouse Company were the premises known as the Gibson Terminal Building in Oakland, which were at that time the property of

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the Gibson Properties Company and under lease to Lawrence Warehouse Company. It appears that on March 20, 1933, the Gibson Terminal Building was sold to Henry Trevor, Jr. by the trustee under a certain deed of trust and that since that date Lawrence Warehouse Company has had no right, title or interest in the building.

It is now reported that the change of ownership of the Gibson Terminal Building has made necessary a modification of the terms and conditions of the agreement of December 29, 1931, and that the companies therefore have made and entered into a new agreement modifying the terms and conditions of said agreement of December 29, 1931. The general effect of the new agreement is to compromise all claims and differences existing between the two companies to date and to cancel the provisions of the said agreement of December 29, 1931 insofar as they affect the business done in Alameda County. Lawrence Warehouse Company in the new agreement confirms its assignment and transfer to The Haslett Warehouse Company of all of its right, title and interest in and to all of its public warehouse and drayage business formerly conducted in Alameda County, together with any drayage rights, franchises or privileges owned by Lawrence Warehouse Company in Alameda County and the counties contiguous to Alameda County as of the date of the execution of the original agreement. Lawrence Warehouse Company also confirms its agreement to refrain from carrying on any warehouse, drayage or similar business(except field warehousing) within Alameda County or the counties contiguous thereto during the period up to and including January 2, In the event The Haslett Warehouse Company withdraws from 1947. the public warehouse and drayage business in Alameda County, it will not oppose the entrance of Lawrence Warehouse Company into the warehouse and drayage business in Alameda County or counties

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contiguous thereto.

A copy of the proposed agreement, which is referred to as the supplemental agreement and which is dated April 25, 1934, is filed with the supplemental petition as Exhibit "1".

The Commission is of the opinion that this is not a metter in which a public hearing is necessary and that applicant's request should be granted, therefore,

IT IS HEREBY ORDERED, that The Haslett Warehouse Company and Lawrence Warehouse Company be, and they hereby are, authorized to execute and enter into an agreement substantially in the same form as that dated April 25, 1934, and filed with the supplemental petition in this proceeding as Exhibit "1", and consummate the transactions set forth in said agreement.

IT IS HEREBY FURTHER ORDERED, that the authority herein granted will become effective upon the date hereof.

DATED at San Francisco, California, this ______ day of June, 1934.

Commissioners.