

Decision No. 11659

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of)
Southern Pacific Company for permis-)
sion to construct a spur track at)
grade across Seventh Street and Sixth)
Avenue in the City of Oakland, County)
of Alameda, State of California.)

ORIGINAL

Application No. 8629

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, having on February 1, 1923, filed with the Commission an application for permission to construct a spur track at grade across Seventh Street and Sixth Avenue in the City of Oakland, County of Alameda, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit (No. 25603 N.S.) has been granted by the City Council of said City of Oakland for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Seventh Street and Sixth Avenue, and that this application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED, that permission be and it is hereby granted Southern Pacific Company to construct a spur track at grade across Seventh Street and Sixth Avenue in the City of

Oakland, County of Alameda, State of California, described as follows:

"Beginning at a point on the center line of the existing westbound track of the Seventh Street Electric Line, in the City of Oakland, California, distant thereon westerly 176.0 ft., more or less, from the westerly line of Sixth Ave., thence easterly on a curve concave to the left a distance of 54 ft., more or less, to a point distant 4.71 ft. measured at right angles from aforesaid center line of existing westbound track of the Seventh Street Line; thence continuing on a straight line tangent to curve at last named point and bearing 80°10' to left of aforesaid center line a distance of 16.45 feet to a point; thence continuing on a curve concave to the left with a radius of 286.84 ft. a distance of 25.83 feet to a point; thence continuing on a straight line tangent to curve at last named point a distance of 63.35 ft. to a point; thence continuing on a curve concave to the right with a radius of 286.84 feet a distance of 75 ft. to a point; thence continuing on a straight line tangent to curve at last named point, parallel to easterly line of Seventh St. and 8.50 ft. distant therefrom, a distance of 64.37 ft. to end of track, and being 299 feet from point of commencement."

All of the above as shown by the map (East Bay Division-Drawing 3552) attached to the application; said crossings to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said streets now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding two (2) percent; shall be protected by a suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(4) The authorization herein granted for the installation of said crossings shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 13th day of February, 1923.

Albaucy

H. B. ...

Egerton Shore

J. H. Westing
Commissioners.