

6-4-23
Decision NO. 12186

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of application of)
Southern Pacific Company for an order)
authorizing the construction at grade)
of a spur track crossing Townsend)
Street, Fifth Street, Bluxome Street)
and Brannan Street, and crossing tracks) Application No. 8973
of Market Street Railway Company at)
intersection of Brannan and Fifth)
Streets, in the City and County of San)
Francisco, State of California)

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, having on April 30, 1923, filed with the Commission an application for permission to construct a spur track at grade across Townsend, Fifth, Bluxome and Brannan Street and across three tracks of Market Street Railway Company at the Intersection of Fifth and Brannan Streets, in the City and County of San Francisco, 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 (Ordinance No. 5847) has been granted by the Board of Supervisors of said City and County of San Francisco for the construction of said crossings at grade, the Market Street Railway Company having signified by letter that it has no objection to the construction of said crossings at grade, and it further

appearing that it is not reasonable nor practicable to avoid grade crossings with said streets and tracks, 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 Townsend, Fifth, Bluxome and Brannan Streets, in the City and County of San Francisco, State of California, described as follows:

Beginning at a point in the center line of an existing Southern Pacific track in Townsend Street, said point being distant northeasterly 96.23 feet, more or less, measured at right angles from the northeasterly line of Fifth Street and 20.88 feet, more or less northwesterly measured at right angles from the southeasterly line of Townsend Street (tangent to curve at said point, making an angle of $70^{\circ} 11''$, with a line drawn parallel to the center line of Townsend Street); thence southwesterly on a curve concave to the right, having a radius of 252.354 feet, a distance of 53.52 feet to a point; thence southwesterly on a curve concave to the right, having a radius of 143.97 feet a distance of 84.42 feet to a point; thence westerly on a curve concave to the right, having a radius of 189.425 feet a distance of 2.20 feet to a point in the northwesterly line of Townsend Street produced, said point being distant southwesterly 23.05 feet, more or less, measured at right angles from the northeasterly line of Fifth Street; thence continuing on said curve concave to the right a distance of 119.26 feet to a point, said point being distant northeasterly 23.00 feet measured at right angles from the southwesterly line of Fifth Street, and distant northwesterly 111.49 feet more or less measured at right angles from the northwesterly line of Townsend Street; thence northwesterly on a tangent parallel to and uniformly distant 23.00 feet northeasterly measured at right angles from the southwesterly line of Fifth Street, a distance of 138.51 feet more or less, to a point in the southeasterly line of Bluxome Street produced, thence continuing on said tangent crossing Bluxome Street a distance of 77.09 feet more or less to a point; thence northwesterly on a curve concave to the right having a radius of 252.354 feet a distance of 53.52 feet to a point; thence northwesterly on a tangent a distance of 119.40 feet to a point; thence northwesterly on a curve concave to the left having a radius of 252.354 feet a distance of 53.36 feet to a point in the southeasterly line of Brannan Street produced; thence continuing on

said curve to the left a distance of 0.16 feet to a point; said point being distant southwesterly 23.00 feet measured at right angles from the northeasterly line of Fifth Street; thence northwesterly on a tangent crossing Brannan Street, parallel to and uniformly distant 23.00 feet southwesterly measured at right angles from the northeasterly line of Fifth Street a distance of 357.34 feet more or less to end of line.

All of the above as shown by the map (Coast Division Drawing 15221) 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 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 will lapse and become void one year from the date of this order unless further time is granted by subsequent order.

IT IS HEREBY FURTHER ORDERED, that permission be and it is hereby granted Southern Pacific Company to construct its spur track at grade across three tracks of the Market Street Railway at the intersection of Fifth and Brannan Streets in the City and County of San Francisco, State of California,

as shown on the map attached to the application, said crossings to be constructed subject to the following condition, viz:-

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter, shall be borne by applicant.

(2) All trains, engines or cars of applicant shall stop before going upon or over said crossings and shall not proceed thereover until it has been ascertained that it is safe so to do.

(3) Applicant shall, within sixty (60) days from the date of this order, file with the Commission executed copy or copies of agreement or agreements made with said Market Street Railway Company covering the installation, maintenance and operation of said crossings.

IT IS HEREBY FURTHER ORDERED that 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.

This order shall become effective three (3) days after the making thereof.

Dated at San Francisco, California, this 9th day of June, 1923.

C. Seaver
H. B. ...
... ..

Commissioners.