

ORIGINAL

Decision No. 12512

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
Berry Street, in the City and County
of San Francisco, State of California.)
Application No. 9294.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, having on August 6, 1923, filed with the Commission an application for permission to construct a spur track at grade across Berry Street 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 (No. 5961 N.S.) has been granted by the Board of Supervisors of said City and County of San Francisco 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 Berry Street, 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 Berry Street in the City and County of San Francisco, State of California, described as follows:

Beginning at a point in the existing track of the Southern Pacific Railroad Company, said point being on the southerly line of Berry Street 127 feet westerly from the westerly line of Seventh Street; thence westerly on a curve to the left and crossing Berry Street to a point in the northerly line of Berry Street 260 feet westerly from the westerly line of Seventh Street.

All of the above as shown by the map (Coast Division Drawing 13997) attached to the application; said crossing to be constructed subject to the following conditions, viz:

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

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of said street now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding one (1) per cent; 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 crossing.

(4) The authorization herein granted for the installation of said crossing will 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 crossing 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 21st day of August, 1923.

C. Leavoy
H. B. Bunting
Irving Martin
J. Whitney
Commissioners.