

Decision No. 12787.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of )  
the Western Pacific Railroad Company )  
for permission to relocate four )  
tracks at grade across Jackson Street; )  
three tracks at grade across Madison )  
Street; and to construct a new track )  
at grade across Madison Street; said )  
Madison Street and Jackson Street )  
being public streets in the City of )  
Oakland, County of Alameda, State of )  
California. )

Application No. 9408.

BY THE COMMISSION:

O R D E R

Western Pacific Railroad Company, a corporation,  
having on September 27, 1923, filed with the Commission an  
application for permission to reconstruct four tracks at grade  
across Jackson Street, three tracks at grade across Madison  
Street and construct a new track at grade across Madison Street  
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 (Ordinance 2919) has been  
granted by Council of said City of Oakland for the construction  
of said crossings at grade, and it further appearing that it is  
not reasonable nor practicable to avoid grade crossings with said  
Jackson Street and Madison Street, and that this application  
should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is here-  
by granted Western Pacific Railroad Company to reconstruct four  
tracks at grade across Jackson Street, three tracks at grade across  
Madison Street and to construct a new track at grade across Madison

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Street in the City of Oakland, County of Alameda, State of California, as shown by the map (Exhibit A) 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 one (1) per cent; shall be protected by suitable crossing signs, 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.

(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.

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

Dated at San Francisco, California, this 5<sup>th</sup> day of November, 1923.

C. A. Seaver  
H. B. Burdette  
Ernest Shaw  
J. J. Whitney  
Commissioners.