

ORIGINAL

Decision No. 12783

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 across)
County Road, in the town of Liver-)
more, County of Alameda, State of)
California.)

Application No. 9429.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, having on October 8, 1923, filed with the Commission an application for permission to construct a spur track at grade across extension of county road No. 1530 in the city of Livermore, 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 has been granted by Board of Trustees of said City of Livermore 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 extension of county road No. 1530, 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 extension of county road No. 1530 in the City of Livermore, County of Alameda, State of California, described as follows:

Commencing at a point in the southerly right of way line of the Central Pacific Railway Company, said line being also the northwesterly line of County Road No. 1530, and distant thereon 448.3 feet, more or less, from the intersection of the southwesterly line produced northwesterly of South "S" Street in the Town of Livermore, County of Alameda, State of California, with the said southerly right of way line; thence curving to the left with radius of 458.6 feet, southwesterly 117.3 feet more or less, crossing said County Road to a point in the southeasterly line of said County Road distant thereon 551.5 feet more or less, from the intersection of said southeasterly line of said County Road with the said southwesterly line of the said South "S" Street.

All of the above as shown by the map (Western Division Drawing No. I-43) 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 3rd day of November, 1923.

C. Searcy
H. B. Bunting
Edwin S. Sore
J. G. Whitney
Commissioners.