

ORIGINAL

Decision No. 12839

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application)
of The Atchison, Topeka and Santa)
Fe Railway Company, a corporation,)
for authority to construct a spur)
track across Pennsylvania Avenue)
in the City and County of San)
Francisco, State of California.)

Application No. 9514.

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having on November 10, 1923, filed with the Commission an application for permission to construct a spur track at grade across Pennsylvania Avenue 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. 6031 N.S.) has been granted by 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 Pennsylvania 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 The Atchison Topeka and Santa Fe Railway Company to construct a spur track at grade across Pennsylvania Avenue 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 track in Block 316, Potrero Nuevo, said point lying 15.1 feet southerly from the southerly line of Mariposa street and 71.0 feet easterly from the easterly line of Pennsylvania Avenue; thence westerly on the arc of a curve concave to the south and having a radius of 1273.57 feet a distance of 128.88 feet to a point which is distant 22.1 feet easterly from the westerly line of Pennsylvania Avenue and 8.5 feet southerly from the southerly line of Mariposa street produced across Pennsylvania Avenue; thence westerly on a line which is parallel to and distant 8.5 feet southerly from said southerly line of Mariposa Street a distance of 122.1 feet to a point in Block 305, Potrero Nuevo, which is the end of proposed spur track.

All of the above as shown by the map (Assistant Engineer's No. 500-838-A) 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 Pennsylvania Avenue now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding eight (8) 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 instal-

lation 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 19th day of November, 1923.

Al. S. Sweeney
H. K. Bond
Irving Wharton
Egerton Shore
J. P. Pittney
Commissioners.