

Decision No. 13225

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 a
portion of Fifth Street, in the
City and County of San Francisco,
State of California.

Application No. 9893.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 18th day of March, 1924, asking for authority to construct a spur track at grade across a portion of Fifth Street in the City and County of San Francisco, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 6,148 New Series) 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 appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable to make a separation of grades at the points mentioned in this application, or to avoid a grade crossing with said portion of Fifth Street and that this application should be granted subject to the conditions hereinafter specified.

THEREFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to Southern Pacific Company to construct a spur track at grade across a portion of Fifth Street, in the City and County of San Francisco, State of California, as follows:

BEGINNING at a point in Fifth Street, said point being distant westerly 23.5 feet from the easterly line of Fifth Street and distant southerly 297.81 feet from the southerly line of Bryant Street produced; thence northerly and parallel to said easterly line of Fifth Street a distance of 53.78 feet to a point; thence northerly on a curve concave to the right having a radius of 252.35 feet a distance of 63.03 feet to a point; thence northerly on a tangent a distance of 10.32 feet to a point; thence northerly on a curve concave to left having a radius of 252.35 feet a distance of 63.03 feet to a point; thence northerly on a tangent parallel to and distant westerly 5 feet from said easterly line of Fifth Street a distance of 5.0 feet to a point, said point being distant southerly 58.25 feet from the southerly line of Bryant Street.

All of the above as shown by the map (Coast Division, Drawing 13926, Form 30, No. B 7064) 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; 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 con-

venience and necessity demand such action.

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

Dated at San Francisco, California, this 25th day of March, 1924.

C. A. Seawright

H. B. ...

Dwight Martin

Commissioners.