

Decision No. 13367

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of)
SOUTHERN PACIFIC COMPANY for an)
order authorizing the construct-)
ion at grade of spur track across)
alley bounded by A and B and 13th)
and 14th Streets, across 14th)
Street and across 15th Street,)
in the City of Sacramento, County)
of Sacramento, State of California)

ORIGINAL

Application No. 9919.

BY THE COMMISSION:

O R D E R

SOUTHERN PACIFIC COMPANY, a corporation, filed the above entitled application with this Commission on the 27th day of March 1924, asking for authority to construct a spur track at grade across an alley bounded by A and B and 13th and 14th Streets, across 14th Street and across 15th Street in the City of Sacramento, County of Sacramento, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the City Council of said City for the construction of said crossings 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 at this time to avoid grade crossings with said Streets and alley, 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 an alley bounded by

A and B and 13th and 14th Streets, across 14th Street, and across 15th Street, in the City of Sacramento, County of Sacramento, State of California, as follows:

COMMENCING at a point in the center line of proposed track, said point being on North side of alley bounded by A and B and 13th and 14th Streets, and 829.8 feet westerly from the West line of 16th Street, said distance being measured along the northerly line of said alley; thence easterly along center line of proposed track on a curve concave to the right (with a radius of 358.39 feet), a distance of 29 feet to the westerly line of 14th Street; thence continuing along center line of proposed track on 14th Street, a distance of 41.5 feet to the end of said curve; thence continuing on a tangent, a distance of 49 feet, to a point on the easterly line of 14th Street, 722.8 feet West of the westerly line of 16th Street and 29.5 feet southerly from the South line of said alley, said distance being measured respectively along southerly line of said alley and easterly line of 14th Street.

COMMENCING at a point in the center line of proposed track, said point being 401.4 feet West of the westerly line of 16th Street and 264 feet southerly from the South line of A Street, said distance being measured respectively along southerly line of A Street and the westerly line of 15th Street; thence South $70^{\circ} 30'$ East, a distance of 80 feet, to a point on the easterly line of 15th Street, said point being 264 feet southerly from the South line of A Street, said distance being measured along easterly line of 15th Street.

All of the above as shown by the map 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 so constructed that grades of approach not exceeding four (4) per cent will be feasible in the event that the construction of roadways along said streets and alley shall hereafter be authorized and so that said grade

crossings of said streets and alley may 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) If said crossings shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(5) This order is made upon the express condition that said streets and alley are not now actually constructed and open to travel at the respective points of crossing, and said order shall not be deemed an authorization for the construction of or opening of said streets and alley to public use across said railroad track.

(6) The Commission reverses 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 2nd day of April, 1924.

C. S. Sweeney

Egerton Shore

J. T. Whittling
Commissioners.