

Decision No. 13465

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 side track across  
public roadway at Holland Avenue,  
in the vicinity of Estudillo,  
County of Alameda, State of  
California.

ORIGINAL

Application No. 9976.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 14th day of April 1924, asking for authority to construct a side track at grade across Holland Avenue near the station of Estudillo, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Supervisors of said county, 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 at this time to provide a separated grade crossing at the point mentioned in this application, or to avoid a grade crossing with said Holland Avenue 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 Southern Pacific Company to construct a side track at grade across Holland Avenue near the Station of Estudillo, County of Alameda, State of California as follows:

Beginning at a point in the northerly line of that certain roadway known as Holland Avenue near Estudillo and distant

at right angles westerly 180 feet from the center line of the Central Pacific Railway Company's track of their line from Oakland to Miles; thence southeasterly and parallel to the said track of the Central Pacific Railway Company 72 feet, more or less, to the southerly line of Holland Avenue, the said course being the center line of a track across Holland Avenue.

All of the above as shown by the map (Western Division; Drawing E 108; Sheet 1; W.D. 8164) 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 Holland Avenue 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) If said crossing 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) 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 23<sup>rd</sup>  
day of April, 1924.

C. Seaney

H. B. Boudier

Irving Mastria

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J. F. Whittier  
Commissioners.