

Decision No. 13588

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, main-
tain and operate spur tracks across
Harrison Street and Steuart Street,
and Harrison Street and Spear Street,
in the City and County of San Fran-
cisco, State of California.

Application No. 9827.

BY THE COMMISSION:

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O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 27th day of February 1924, asking for authority to construct two spur tracks, one at grade across Harrison and a portion of Spear Streets and one across Harrison Street, a portion of Steuart Street and a portion of the Embarcadero and filed on May 7th an amendment to said Application No. 9827 asking authority to also construct these two spur tracks across the double track street railway of the Market Street Railway Company in Harrison Street at Spear Street and at Steuart Street, in the City and County of San Francisco, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 6066, New Series) has been granted by the Board of Supervisors of said City and County of San Francisco for the construction of said crossings at grade; Market Street Railway Company has agreed to the construction of said crossings of its tracks 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 provide separated grade crossings at the points mentioned in this application at this time, or to avoid grade crossings with said streets and street railway tracks 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 The Atchison, Topeka and Santa Fe Railway Company to construct two spur tracks at grade across Harrison Street and portions of Spear Street, Steuart Street and the Embarcadero and at grade across the double track street railway of Market Street Railway Company in Harrison Street at Spear Street and at Steuart Street in the City and County of San Francisco, State of California, in the locations described in said Ordinance No. 6066 New Series and in said agreement between Market Street Railway Company and The Atchison, Topeka and Santa Fe Railway Company, copies of which are attached to the application and amendment to application, respectively; all of which as shown by the maps (Asst. Engrs. Dwgs. Nos. 500-851-A, 500-852-A and 500-688-B) attached to the application and the amendment 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 constructed of a width and type of construction to conform to those portions of said streets now graded, with the top of rails flush with the pavements and with grades of approach not exceeding six (6) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) All trains, engines or cars of applicant shall stop before going upon or over said street railway crossings and shall not proceed thereover until it has been ascertained that it is safe so to do.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(5) 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.

(6) 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 21st day of May, 1924.

C. L. Seaver

James M. Harris
George H. Shore

J. M. H. H. H.
Commissioners.