Decision No. 13590



BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of SOUTHERN PACIFIC COMPANY for an Order authorizing the construction at grade of a spur track across Kirkham Street, and across a portion of 18th Street, in the City of Oakland, County of Alameda, State of California.

Application No. 10063

BY THE COMMISSION:

<u>ORDER</u>

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the twelfth day of May, 1924, asking for authority to construct a spur track at grade across a portion of 18th Street and at grade across Kirkham Street in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 29363 New Series) 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 provide separate grade crossings at the points mentioned in this application, or to avoid grade crossings with said 18th and Kirkham Streets 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 18th Street and at grade across Zirkham Street, in the City of Oakland, County of Alameda, State of California, as follows:

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BEGINNING at a point in the center line of the eastbound track of the Eighteenth Street Electric Line, as said track now exists on Eighteenth Street, between Poplar and Cypress Streets, in the City of Oakland, said point being located 10 feet, more or less, westerly from the westerly line of Kirkham Street; thence easterly on a curve con-cave to the right, whose radius is 462 feet, a distance of 54 feet, more or less, to a point distant 4.72 feet measured at right angles to the center line of the aforesaid eastbound Eighteenth Street Electric Line; thence easterly at an angle of 8 deg. 10 min. to the right of aforesaid center line a distance of 15 feet, more or less, to a point; thence easterly on a curve concave to the right whose radius is 144 feet a distance of 70 feet, more or less, to a point on the southerly line of Eighteenth Street. distant thereon 60 feet, more or less, easterly from the easterly line of Kirkham Street and being 139 feet, more or less, from the point of beginning.

All of the above as shown by the map (East Bay Division; Drawing 3618; Case D-13) attached to the application; said crossings to be constructed subject to the following conditions, wiz:

(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 pavement, and with grades of approach not exceeding two (2) 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) 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

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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 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 _____ day of May, 1 9 2 4.

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