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Decision No. 13614

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application
of SOUTHERN PACIFIC COMPANY for
an Order authorizing the con-
struction at grade of a spur
track across Hollis Street and
across Santa Fe Avenue, in the
Town of Emeryville, County of
Alameda, State of California.

Application No. 10094

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 20th day of May, 1924, asking for authority to construct a spur track at grade across Hollis Street and Santa Fe Avenue in the Town of Emeryville, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 782) has been granted by the Board of Trustees of said Town 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 separated grade crossings at the points mentioned in this application, or to avoid grade crossings with said Hollis Street and Santa Fe 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 to Southern Pacific Company to construct a spur track at grade across Hollis Street and Santa Fe Avenue in the Town of Emeryville, County of Alameda, State of California, as follows:

BEGINNING at a point on the northwesterly line of Santa Fe Avenue in the town of Emeryville, County of Alameda, State of California, said point being 148.5 feet measured along said northwesterly line from the intersection of said line with the southwesterly line of Hollis Street, thence southeasterly parallel to said southwesterly line of Hollis Street 60.0 feet to a point in the southeasterly line of said Santa Fe Avenue.

BEGINNING at a point on the northeasterly line of Hollis Street in the Town of Emeryville, County of Alameda, State of California, said point being 392.87 feet northwesterly, measured along said northeasterly line of Hollis Street from a point which is 7.00 feet measured at right angles from a concrete monument, which monument is 448.36 ft. northwesterly measured along a line parallel to the northeasterly line of said Hollis Street from the northwesterly line of Santa Fe Avenue; thence on a curve concave to the left having a radius of 191.13 feet the tangent to said curve bearing South $56^{\circ} 27' 42''$ West, crossing said Hollis Street a distance of 62.43 feet, more or less, to a point in the southwesterly line of said Hollis Street.

All of the above as shown by the map (Western Division Drawing E-87) 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 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 one (1) 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 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 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 28th day of May, 1924.

W. Searcy
H. B. ...
Egerton Shore
Commissioners.