

Decision No. 13699

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 side track across North "L" Street in the Town of Livermore, County of Alameda, State of California.

Application No. 10,158

ORIGINAL

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 6th day of June, 1924, asking for authority to construct a spur track at grade across North "L" Street in the Town of Livermore, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 471) has been granted by the Board of Trustees of said Town 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 North "L" Street 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 North "L" Street, in the Town of Livermore, County of Alameda, State of California, as follows:

BEGINNING at a point on the Easterly line of North "L" Street in the Town of Livermore, County of Alameda, State of California, said point being 18 feet Northerly along said Easterly line of North "L" Street from the constructed center line of the Central Pacific Railway Company's main line track; thence Westerly and parallel to and distant 18 feet from said center line, 80 feet, more or less, to the Westerly line of said North "L" Street, and being a crossing at grade of said North "L" Street.

All of the above as shown in red on the map "Western Division Drawing L-40; Sheet 2; W.D. 8023) 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 said North "L" Street 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 a suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.
- (3) Crossing of North "L" Street shown in yellow on said map hereinbefore mentioned shall be removed and roadway re-established in first class condition to conform to present roadway on North "L" Street, for the use of vehicles and other road traffic.
- (4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(5) 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.

(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 13th
day of June, 1924.

C. Seaver
H. R. Brundage
Egerton Shore

Commissioners.