

Decision No. 13823.

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 spur track across 69th)
Avenue, Snell Street and 68th Avenue,)
Fitchburg Station, in the City of)
Oakland, County of Alameda, State)
of California.)

ORIGINAL

Application No. 10,289.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 17th day of July, 1924, asking for authority to construct a spur track at grade across 69th Avenue, Snell Street and 68th Avenue, Fitchburg Station, in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution 30024 N.S.) 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 separated grade crossings at the points mentioned in this application, or to avoid grade crossings with said 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 69th Avenue, Snell Street and 68th Avenue, Fitchburg Station, in the City of Oakland, County of Alameda, State of California, as follows:

ACROSS 69TH AVENUE: Beginning at a point on the southeasterly line of 69th Ave., which point is 46 ft. more or less distant southwesterly from the intersection of said southeasterly line of 69th Ave. with the southwesterly line of Snell St; thence northwesterly across said 69th Ave. to a point in the northwesterly line of said 69th Ave., said point being 44 ft. more or less distant southwesterly from the intersection of said northwesterly line of 69th Ave. with the southwesterly line of Snell St. ACROSS SNELL STREET AND ALONG AND ACROSS 68TH AVENUE. BEGINNING at a point on the southwesterly line of Snell St. and distant 48 ft. more or less southeasterly from intersection of said southwesterly line of Snell St. and southeasterly line of 68th Ave; thence northerly along a curve to the right with a radius of 191.12 ft., 85 ft. more or less to a point on northeasterly line of Snell St. produced 12 ft. more or less northwesterly from the intersection of said northeasterly line with with southeasterly line of 68th Ave; thence continuing along said curve a distance of 108 ft. more or less to a point 20 feet at right angles southeasterly from the northwesterly line of 68th Ave.; thence northeasterly and parallel to said northwesterly line of 68th Ave., at a uniform distance at right angles of 20 ft., 140 ft. more or less to a point; thence on a curve to the left with a radius of 382.25 ft. and tangent to last mentioned course 86 ft. more or less to a point; thence on a course tangent to last mentioned curve a distance of 43 ft. more or less to a point in the northwesterly line of said 68th Ave.

All of the above as shown by the map (Western Division Drawing E-62) 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 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 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 19th day of July, 1924.

C. S. Seaver
H. B. Burdige
Livingston Martin

Commissioners