

Decision No. 12737

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 Brannan Street
and across single track railway of
the Market Street Railway Company,
and across a portion of Ritch Street,
in the City and County of San Francisco,
State of California.

Application No. 10,257.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 7th day of July, 1924, asking for authority to construct a spur track at grade across Brannan Street and across single track railway of the Market Street Railway Company, and across a portion of Ritch Street, in the City and County of San Francisco, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance 6171 N.S.) has been granted by the Board of Supervisors of said City and County for the construction of said crossings at grade and said Market Street Railway Company has signified by letter that it has no objection to the construction of said crossing over its track 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 Brannan Street and Ritch 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 Brannan Street and across a portion of Ritch Street, in the City and County of San Francisco, State of California, as follows:

BEGINNING at the end of the existing track on Ritch Street at the south line of Brannan Street; thence northerly and crossing Brannan Street to a point in the north line of Brannan Street which is 8.5 feet westerly from the easterly line of Ritch Street; thence along Ritch Street and parallel thereto to a point in the south line of Bryant Street;

Spur across a portion of Ritch Street:-Beginning at a point in above described track where same crosses the north line of Brannan Street; thence curving northwesterly a distance of 140 feet to a point which is 21.5 feet westerly from the easterly line of Ritch Street; thence continuing northwesterly and parallel to Ritch Street, 260 feet.

All of the above as shown by the map (Coast Division Drawing 20018) 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, 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.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company to construct a spur track at grade across a single track line of Market Street Railway Company at Ritch and Brannan Streets in the City and County of San Francisco, all of which as shown by the map (Coast Division Drawing 20018) attached to the application; said crossing shall be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossing together with the cost of its maintenance thereafter shall be borne by applicant.

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

(3) Applicant shall, within sixty (60) days from the date of this order, file with the Commission duly executed copy or copies of agreement or agreements with said Market Street Railway Company covering the installation, maintenance and operation of said crossing.

IT IS HEREBY FURTHER ORDERED that 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 20th day of August, 1924.

H. B. Brundage
J. W. Martin

J. H. Whitney
Commissioners.