

Decision No. 14248

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
County Road, in the vicinity of Eliot
Station, County of Alameda, State of
California.

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) Application No. 10549.
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BY THE COMMISSION:

ORIGINAL

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 18th day of October, 1924, asking for authority to construct a spur track at grade across County Road No. 1530 in the vicinity of Eliot Station, County of Alameda, State of California, as hereinafter set forth. The necessary permit has been granted by the Board of Supervisors of said County 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 County road 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 County Road No. 1530, in the vicinity of Eliot Station, County of Alameda, State of California, as follows:

Beginning at a point in the southerly line of County Road No. 1530, and distant thereon N. $82^{\circ} 15'$ E. 390 feet, more or less, from the northeasterly corner of the property acquired by the California Rock Co. by deed recorded May 23, 1924, in Book 675 of Official Records at page 464, in the office of the County Recorder of Alameda County, California; thence northeasterly from said point of beginning on the arc of a curve to the right having a radius of 573.14 ft., whose tangent at the said point of beginning bears N. $59^{\circ} 40'$ E., a distance of 62.2 ft., more or less, to a point; thence N. $65^{\circ} 53'$ E. 100.0 ft. to a point; thence on a curve to the right having a radius of 573.14 ft., whose tangent at the last described point is the last described course, a distance of 80.2 ft., more or less, to a point in the northerly line of the aforesaid County Road No. 1530, said point being distant N. $70^{\circ} 45'$ W. 66 ft. from a point on the aforesaid southerly line of County Road No. 1530, which last mentioned point is distant along said southerly line of County Road No. 1530 N. $82^{\circ} 15'$ E. 623 Ft. more or less from aforesaid northeasterly corner of property of the California Rock Co.

and as shown by the map (Western Division, Drawing E-122) attached to the application; said crossing to be constructed subject to the following conditions:

(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 road now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding One (1) 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) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) 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.

(5) 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 8th day of November, 1924.

C. L. Seaver
H. B. Brundage
Irving Martin

COMMISSIONERS.