

Decision No. 14487

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of The Atchison, Topeka and Santa )  
Fe Railway Company, a corporation, )  
for authority to construct, main- )  
tain and operate a spur track across )  
Quint Street and Evans Avenue in the )  
City and County of San Francisco, )  
State of California. )

Application No. 10717.

ORIGINAL

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the eighth day of January, 1925, asking for authority to construct a spur track at grade across a portion of Quint Street and at grade across Evans Avenue in the City and County of San Francisco, State of California, as hereinafter set forth. A franchise or permit (Ordinance No. 6455 (New Series) has been granted by the Board of Supervisors of said City and County for the construction of said crossings at grade, but said franchise contains an erroneous description. 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 grade separations, or to avoid grade crossings at the points mentioned in this application with said Quint Street and Evans 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 The Atchison, Topeka and

Santa Fe Railway Company to construct a spur track at grade across a portion of Quint Street and at grade across Evans Avenue, City and County of San Francisco, State of California, as follows:--

Beginning at a point in the center line of an existing track in Quint Street in the City and County of San Francisco, said point lying 50.65 feet southwesterly from the southwesterly line of Evans Avenue and 24.00 feet southeasterly from the northwesterly line of Quint Street; thence northerly on the arc of a curve concave to the northwest and having a radius of 235.65 feet a distance of 362.54 feet to a point 100.00 feet northeasterly from the northeasterly line of Evans Avenue and 211.65 feet northwesterly from the northwesterly line of Quint Street; thence northwesterly on a line parallel to and 100.00 feet northeasterly from the northeasterly line of Evans Avenue a distance of 88.35 feet to the end,

and as shown by the map (Assistant Engineer's No. 500-860-1) 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 tops 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) Applicant shall, within sixty (60) days from the effective date of this order, submit a certified copy of a franchise from the City and County of San Francisco containing a correct description of said spur track and authority to construct said crossings at grade, and in the event that this is not done, the authorization herein granted for the installation of said crossings shall lapse and shall thereupon become null and void and of no further force and effect.

(6) 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 27<sup>th</sup> day of January, 1925.

H. B. Brundige

P. Sealey

Egerton Shore

George D. Squires

Emmerson

Commissioners.