

Decision No. 14550

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF THE )  
WESTERN PACIFIC RAILROAD COMPANY FOR )  
PERMISSION TO CONSTRUCT A SPUR TRACK AT )  
GRADE ACROSS A PUBLIC ALLEY IN THE ) Application No. 10807  
BLOCK BOUNDED BY "D", "E", 19th, and )  
20th STREETS, in the CITY OF SACRAMENTO, )  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.)

BY THE COMMISSION:

O R D E R

ORIGINAL

The Western Pacific Railroad Company, a corporation, filed the above-entitled application with this Commission on the third day of February, 1925, asking for authority to construct a spur track at grade across a public alley in the block bounded by "D", "E", 19th and 20th Streets, in the City of Sacramento, County of Sacramento, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the City Council of said City 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 grade separation, or to avoid a grade crossing at the point mentioned in this application with said alley, 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 Western Pacific Railroad Company to construct a spur track at grade across a public alley in the block bounded by "D", "E", 19th and 20th Streets, in the City of Sacramento, County of Sacramento, State of California, as follows:

Beginning at a point in the center line of the main track of The Western Pacific Railroad Company, at or near the northerly line of "E" Street, in the City of Sacramento, California; thence northeasterly, with switch and turnout to the right, approximately 70 feet to a point; thence continuing northeasterly on a curve to the right, approximately 48 feet; thence northeasterly on a curve to the left, approximately 80 feet to a point, and crossing the southerly line of the alley between "E" and "D" Streets at a point approximately 91 feet westerly of the westerly line of Twentieth Street; and crossing the northerly line of said alley approximately 90 feet westerly of said line of Twentieth Street; thence northeasterly on a tangent approximately 148 feet to the point of termination in the south line of "D" Street, which point lies approximately 88.5 feet westerly of the westerly line of Twentieth Street; being a total length of approximately 346 feet from the point of beginning;

and as shown by the map 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 alley now graded, with the tops of rails flush with the roadway 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) 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 9<sup>th</sup> day  
February, 1925.

H. K. Brown  
C. Kearney  
Egerton Shore  
George D. Squires  
Ernest D. ...

COMMISSIONERS.