

Decision No. 14713

ORIGINAL

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 drill tracks across certain streets and alleys hereinafter described in the City of Berkeley, County of Alameda, State of California.) Application No. 10918.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 12th day of March, 1925, asking for authority to construct industrial drill tracks at grade across certain streets and alleys in the City of Berkeley, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 14,167 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 grade separations, or to avoid grade crossings at the points mentioned in this application with these 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 its industrial drill tracks at grade across Harrison Street, Eighth Street, Ninth Street, the Alley between Harrison Street and Codornices Creek, and between Eighth Street and Ninth Street, the Alley between Eighth Street and Seventh Street and

Gilman and Camelia Streets, Seventh Street, Sixth Street, and the Alley between Sixth and Fifth Streets and Gilman and Camelia Streets, in the City of Berkeley, County of Alameda, State of California, substantially as follows:

DESCRIPTION FOR TRACK "1" -
CORBIN DRILL TRACKS, CITY OF BERKELEY.

PART 1: Beginning at a point in the westerly line of the alley lying between 3rd Street and 4th Street, in the City of Berkeley, and distant along said Westerly line of said alley S. $14^{\circ} 24'$ E., 6.3 feet from the southerly line of Harrison Street; thence from said point of beginning northeasterly in a curve concave to the right having a radius of 173.77 feet (whose tangent at the said point of beginning bears N. $27^{\circ} 27\frac{1}{4}'$ E.) a distance of 146.0 feet to a point, which said point bears North $68^{\circ} 16\frac{3}{4}'$ W. 87.36 feet from the intersection of the westerly line of 4th Street with the aforesaid southerly line of Harrison Street; thence North $75^{\circ} 36'$ East parallel to the northerly line of Harrison Street and distant therefrom 8.5 feet southeasterly at right angles, a distance of 1380 feet, more or less, to a point; thence on the arc of a curve concave to the left having a radius of 191.12 feet (whose tangent at last mentioned point is the last described course), a distance of 57.2 feet to a point in the northerly line of Harrison Street, said point being distant along said northerly line of Harrison Street North $75^{\circ} 36'$ E. 14.0 feet from the easterly line of 8th Street.

PART 2: Beginning at a point in the westerly line of the alley lying between 8th Street and 9th Street, in the City of Berkeley, State of California, said point being distant along said westerly line of said alley North $14^{\circ} 24'$ W. 86.9 feet, more or less, from the northerly line of Harrison Street; thence northerly on the arc of a curve concave to the left having a radius of 191.12 feet (whose tangent at the point of beginning bears N. $15^{\circ} 41' 15''$ E.) a distance of 33.0 feet to a point in the easterly line of the aforesaid alley, and distant thereon N. $14^{\circ} 24'$ W. 116.64 feet, more or less, from the northerly line of Harrison Street. The above described lines being the center line of a railroad spur track.

DESCRIPTION FOR TRACK "2" -
IN HARRISON STREET, BERKELEY.

PART 1: Beginning at a point in the southerly line of Harrison Street, in the City of Berkeley, County of Alameda, State of California, said point being distant along said southerly line of Harrison Street S. $75^{\circ} 36'$ W. 57.66 feet from the westerly line of 8th Street; thence westerly from said point of beginning on the arc of a curve concave to the left having a radius of 191.12 feet (whose tangent at the point of beginning bears N. $63^{\circ} 34' 10''$ W.) a distance of 108.96 feet to a point; thence S. $83^{\circ} 46'$ W. 15.0 feet to a point; thence thru the curvature of a standard No. 7 turnout 54.2 feet, more or less, to a

point, which said point is distant No. $14^{\circ} 24'$ W. 51.5 feet from the southern line of Harrison Street and distant S. $75^{\circ} 36'$ W. 224.72 feet from the intersection of the southerly line of Harrison Street with the westerly line of 8th Street.

The above described line being the center line of a railroad spur track.

DESCRIPTION FOR TRACK "B" -
IN 8th STREET, BERKELEY.

PART 2: Beginning at a point on the westerly line of 8th Street, in the City of Berkeley, County of Alameda, State of California, said point being distant along said westerly line of 8th Street, S. $14^{\circ} 24'$ E. 88.25 feet from the southerly line of Harrison Street; thence southerly from said point of beginning on the arc of a curve concave to the right having a radius of 191.12 feet (whose tangent at the point of beginning bears S. $31^{\circ} 33' 10''$ E.) a distance of 57.22 feet to a point; thence S. $14^{\circ} 24'$ E. parallel to the aforesaid westerly line of 8th Street, and distant 8.5 feet measured at right angles therefrom, a distance of 1120.4 feet to the northerly line of Camelia Street, the above described line being the center line of a railroad spur track.

DESCRIPTIONS FOR TRACK "C" -
CORBIN DRILL TRACKS, CITY OF BERKELEY, CALIFORNIA.

PART 1: Beginning at a point in 8th Street; in the City of Berkeley, State of California, said point being distant 117.1 feet measured S. $14^{\circ} 24'$ E. from the southerly line of Gilman Street, said point also being distant 8.5 feet northeasterly measured at right angles from the southwesterly line of said 8th Street; thence southerly through a standard No. 7 turnout 54.2 feet, more or less to a point which is distant N. $75^{\circ} 36'$ E. 3.79 feet from a point which is distant S. $14^{\circ} 24'$ E. 171.3 feet from the aforesaid intersection of the southerly line of Gilman Street and the westerly line of 8th Street; thence S. $6^{\circ} 14'$ E. 11.2 feet to a point; thence on a curve to the right having a radius of 191.12 feet a distance of 12.2 feet to the aforesaid westerly line of 8th Street, said point being distant thereon S. $14^{\circ} 24'$ E. 194.5 feet from the aforesaid southerly line of Gilman Street.

PART 2: Beginning at a point in the easterly line of the alley lying between 7th Street and 8th Street, in the City of Berkeley, and distant thereon S. $14^{\circ} 24'$ E. 337.2 feet from the southerly line of Gilman Street; thence southwesterly on the arc of a curve concave to the left having a radius of 191.12 feet (whose tangent at the point of beginning bears S. $57^{\circ} 36'$ W.) a distance of 14.6 feet to the westerly line of the aforesaid alley, said point being distant thereon S. $14^{\circ} 24'$ E. 541.1 feet, more or less, from the aforesaid southerly line of Gilman Street.

PART 3: Beginning at a point in the easterly line of 7th Street, in the City of Berkeley, and distant along said easterly line of said 7th Street, S. $14^{\circ} 24'$ E. 346.5 feet

from the southerly line of Gilman Street; thence S. $76^{\circ} 36'$ W. 60 feet to a point on the westerly line of said 7th Street, and distant thereon S. $14^{\circ} 24'$ E. 346.5 feet from the aforesaid southerly line of Gilman Street.

PART 4: Beginning at a point in the easterly line of 6th Street, in the City of Berkeley, and distant along said easterly line of said 6th Street, S. $14^{\circ} 24'$ E. 346.5 feet from the southerly line of Gilman Street; thence S. $76^{\circ} 36'$ W. 80 feet to a point on the westerly line of said 6th Street, and distant thereon S. $14^{\circ} 24'$ E. 346.5 feet from the aforesaid southerly line of Gilman Street.

PART 5: Beginning at a point in the easterly line of the alley lying between 5th Street and 6th Street, in the City of Berkeley, and distant along said westerly line of said alley S. $14^{\circ} 24'$ E. 346.5 feet from the southerly line of Gilman Street; thence S. $75^{\circ} 36'$ W. 14 feet to a point on the westerly line of the aforesaid alley and distant thereon S. $14^{\circ} 24'$ E. 346.5 feet from the southerly line of Gilman Street.

The above described lines being portions of the center line of a railroad spur track.

DESCRIPTION FOR TRACK ON NINTH STREET, CITY OF BERKELEY.

Beginning at a point on the westerly line of Ninth Street, distant thereon northerly 170 feet plus or minus from the northerly line of Harrison Street; thence southerly at an angle of $23^{\circ} 20'$ to the left from the westerly line of Ninth Street along said Ninth Street a distance of 100 feet, plus or minus; thence southerly on a curve, concave to the right, whose radius is 458.59 feet, a distance of 74 feet, plus or minus, to a point on the northerly line of Harrison Street produced, and distant thereon westerly 20 feet, plus or minus, from the easterly line of Ninth Street; thence continuing on said curve across Harrison Street a distance of 61 feet, plus or minus, to a point on the southerly line of Harrison Street produced and distant thereon 8 feet, plus or minus, westerly from the easterly line of Ninth Street; thence continuing on said curve along Ninth Street, a distance of 50 feet, plus or minus, to a point; said point being distant westerly 4.5 feet from the easterly line of Ninth Street; thence continuing southerly along Ninth Street on tangent to last named course, parallel to and distant westerly 4.5 feet from the easterly line of 9th Street (crossing Gilman Street) a distance of 1215 feet, plus or minus, to a point on the northerly line of Camelia Street produced.

The above being description of the center line of a proposed drill track along and upon Ninth Street from 170 feet north of the north line of Harrison Street to the north line of Camelia Street, in the City of Berkeley, Alameda County, California.

and substantially as shown by the map (Western Division Drawing C-162 Sheet 2) 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 and alleys now graded, with the tops 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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 27th day of

March, 1925.

W. B. Brundage
C. Leavitt
Egerton Shaw
George D. Quinn
Emmeline W. Quinn
Commissioners.

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS
PRISON INDUSTRY AUTHORITY

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