

Decision No. 14894

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 a spur
track in and along Wood Street and
across 22nd Street, in the City of
Oakland, County of Alameda, State
of California.

Application No. 11055.

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 30th day of April, 1925, asking for authority to construct a spur track at grade across a portion of Wood Street and at grade across 22nd Street, in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution 32132, New Series) has been granted by the City Council of said City of Oakland 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 said portion of Wood Street and said 22nd 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 The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across a portion of Wood Street and at grade across 22nd Street, in the City of Oakland, County of Alameda, State of California, as follows:

Commencing at a point in Wood Street, said point being 143.05 feet at right angles southwesterly from the southwesterly line of 22nd Street, and 22 feet at right angles northwesterly from the southeasterly line of Wood Street, thence in a northeasterly direction on a 9 degree 30 minute curve concave southeasterly a distance of 85.4 feet, thence on a 12 degree curve compounded to said 9 degree, 30 minute curve, a distance of 39.3 feet, thence reversing on a 12 degree curve, for a distance of 19.7 feet to a point in the southwesterly line of 22nd Street produced thence continuing on said 12 degree curve for a distance of 60.7 feet to the northeasterly line of 22nd Street.

and as shown by the map (Div'n. Eng. Drwg. No. V-4-342) 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 Wood Street and 22nd Street as now graded, with the tops of rails flush with the roadway, 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) 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 7th day of May, 1925.

H. M. Anderson
Chairman

George W. Squires
Emmanuel

Commissioners.