

Decision No. 15158.

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 a spur track across)
N Street and across O Street, on)
Front Street, also across spur)
track of Sacramento Northern Rail-)
road at the intersection of N and)
Front Streets, in the City of)
Sacramento, County of Sacramento,)
State of California.)

Application No. 11,369.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 3rd day of July, 1925, asking for authority to construct a spur track at grade across "N" Street and "O" Street on Front Street, and at grade across spur track of Sacramento Northern Railroad at the intersection of "N" and Front Streets, in the City of Sacramento, County of Sacramento, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 459) has been granted by the City Council of said City for the construction of said crossings at grade, the Sacramento Northern Railroad has signified by letter that it does not object to the construction of said crossing at grade over its spur track, 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 streets and spur track and that this application should be granted subject to the conditions hereinafter specified.

WHEREFORE, 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 "N" Street and "O" Street on Front Street, in the City of Sacramento, County of Sacramento, State of California, as follows:

Commencing at a point in the center line of present track, said point being 20.5 feet westerly from the east side of Front Street and 17.95 feet northerly from the south side of O Street, said distances being measured respectively along the southerly line of O Street and easterly side of Front Street; thence in a northerly direction along the easterly side of Front Street parallel to and 6.5 feet westerly of the easterly curb line of Front Street a distance of 403.00 feet to the southerly line of N Street; thence continuing in a northerly direction across N Street a distance of 21.4 feet to the intersection of center line of Sacramento Northern Railroad spur on N Street; thence continuing in a northerly direction across said Sacramento Northern Railroad spur and across N Street, a distance of 42 feet to a point in the center line of the present track of the Southern Pacific Company on easterly side of Front Street; said point being 20.5 feet westerly of east side of Front St. and 16.6 ft. southerly from the north line of N Street, said distances being measured respectively along northerly side of O St. and easterly side of Front Street.

and as shown by the map (Sacramento Division - Drawing U - 824 - a) 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) 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.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company to construct its spur track at grade across the spur track of Sacramento Northern Railroad at the intersection of N and Front Streets in the City of Sacramento, County of Sacramento, State of California, as shown by the map (Sacramento Division - Drawing U - 824 - a) 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 shall be borne by applicant.

(2) All trains, motors, engines and cars of applicant shall stop before crossing the track of Sacramento Northern Railroad and shall not proceed thereover until it has been ascertained that it is safe so to do.

(3) All trains, motors, engines and cars of Sacramento

Northern Railroad shall stop before crossing the track of applicant and shall not proceed thereover until it has been ascertained that it is safe so to do.

(4) Applicant shall within one hundred and twenty (120) days of the date of this order file with the Commission, duly executed, copy or copies of agreement or agreements with said Sacramento Northern Railroad covering the terms of installation, operation and maintenance of said crossing.

(5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(6) 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.

(7) 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.

For all other purposes, the effective date of this order shall be on the date thereof.

Dated at San Francisco, California, this 7th day of July, 1925.

H. B. Brundage
C. S. Sweeney
George D. Squires
Ernest J. Scott

Commissioners.