

Decision No. 15161.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of
SOUTHERN PACIFIC COMPANY and
THE ATCHISON, TOPEKA AND SANTA FE
RAILWAY COMPANY for an order
authorizing the construction at
grade of a proposed joint drill
track across that certain inter-
change track of The Atchison, Topeka
and Santa Fe Railway Company in Wood
Street and near the intersection of
26th and Wood Streets in the City
of Oakland, County of Alameda, State
of California.

ORIGINAL

Application No. 11346.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, and The Atchison, Topeka and Santa Fe Railway Company, also a corporation, on June 30th, 1925, filed with the Commission an application for permission to construct a track at grade across a track of The Atchison, Topeka and Santa Fe Railway Company within the City of Oakland, County of Alameda, State of California, as hereinafter indicated.

It appears that the construction of this track across Wood Street and various other streets in the City of Oakland was authorized by the Commission's Decision No. 14686, dated March 19th, 1925, and in that Decision the Commission also authorized the crossing of a track of The Atchison, Topeka and Santa Fe Railway Company, existing at that time in Wood Street. It appears that subsequent to the date of Decision No. 14686, a second track, belonging to The Atchison, Topeka and Santa Fe Railway Company,

has been constructed in Wood Street as authorized by the Commission's Decision No. 13826, dated July 21st, 1924, and that the crossing of Wood Street authorized by Decision No. 14686 will cross this second track.

It further appears to the Commission that this is not a case in which a public hearing is necessary, that said Atchison, Topeka and Santa Fe Railway Company has, by joining with said Southern Pacific Company in the application, thereby consented to the construction of said crossing at grade across its track, and it further appears that it is not reasonable nor practicable to avoid a grade crossing with said track and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company, to construct a track across the track of The Atchison, Topeka and Santa Fe Railway Company in the City of Oakland, County of Alameda, State of California, at a location described as follows:

Commencing at the intersection of the northerly line of 26th Street with the westerly line of Wood Street; thence northerly along said westerly line of Wood Street, a distance of 108 feet, more or less, to a point, said point being in the southerly production of the center line of Surryhne Street, the point of beginning of the center line of track to be described; thence southeasterly upon and across Wood Street and along said southerly production of the center line of Surryhne Street, a distance of 28 feet, more or less, to the intersection with the center line of the present Atchison, Topeka and Santa Fe Railway Company's track; said intersection makes an approximate angle of $56^{\circ} 15'$ to the right; thence continuing southerly upon and across Wood Street, crossing said Atchison, Topeka and Santa Fe Railway Company's track, at grade, and along the said southerly production of the center line of Surryhne Street, a distance of 12 feet, more or less, to an intersection with the center line of the present Atchison, Topeka and Santa Fe Railway Company's track, said crossing being authorized by Decision No. 14686, of the Railroad Commission of the State of California, thence continuing southerly upon and across Wood Street, crossing the said Atchison, Topeka and Santa Fe Railway Company's track at grade, and along said southerly production of the center line of Surryhne Street, a distance of 36 feet, more or less, to a point of curve; thence continuing southerly upon and across Wood Street, and in the arc of a curve, concave to the left (tangent to said curve at last mentioned point is the last

described course) a distance of 4 feet, more or less, to an intersection with the easterly line of Wood Street, said point being distant 53 feet, more or less, measured northerly along the said easterly line of Wood Street from the said northerly line of 26th Street.

All of the above as shown by the map (Western Division Drawing 0-654) attached to the application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing of the track, together with the cost of its maintenance thereafter in good and first-class condition shall be borne by applicants.

(2) All trains, motors, engines and cars of applicants shall stop before crossing the track of The Atchison, Topeka and Santa Fe Railway Company and shall not proceed thereover until a competent employee has gone upon the crossing to ascertain that it is safe so to do and shall have given a suitable signal to proceed.

(3) All trains, motors, engines or cars of The Atchison, Topeka and Santa Fe Railway Company shall stop before crossing the track of applicants, and shall not proceed thereover until it has been ascertained that it is safe so to do.

(4) Applicants shall within six (6) months from the date of this order file with the Commission a duly executed agreement with The Atchison, Topeka and Santa Fe Railway Company covering the terms of installation and maintenance of the crossing of the track of said company and the operation thereover.

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

(6) 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.

(7) 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 9th day of July, 1925.

H. H. Prundiger

George D. Squires
Emmanuel Scott

Commissioners.