

1544.9
Decision No. ~~44-437~~

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 a
portion of Berry Street, and a por-
tion of De Haro Street, in the City
and County of San Francisco, State
of California.

Application No. 11864.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 2nd day of September, 1925, asking for authority to construct a spur track at grade across a portion of Berry Street and a portion of De Haro Street in the City and County of San Francisco, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 6742 - New Series) has been granted by the Board of Supervisors of said City and County for the construction of said crossings at grade. 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 Berry and De Haro 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 a spur

track at grade across a portion of Berry Street and a portion of De Haro Street, in the City and County of San Francisco, State of California, as follows:

Beginning at a point on the center line of an existing spur track in Berry Street, distant southeasterly at right angles 41 feet more or less from the northerly line of Berry Street, and distant southwesterly 600 feet more or less from the westerly line of Seventh Street produced; thence in a southwesterly direction through a No. 7 turnout a distance of 69 feet to a point, thence continuing in a southwesterly direction a distance of 10 feet to a point, thence in a southerly direction on a curve concave to the left having a radius of 151.47 feet crossing Berry Street, for a distance of 122 feet more or less to a point in De Haro Street, thence in a southerly direction parallel to and distant westerly 10 feet at right angles from the easterly line of De Haro Street, a distance of 313 feet to end of track.

and as shown by the map (Coast Division Drawing 14861) 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 substantially in accordance with Standard No. 4, as specified in General Order No. 72 of this Commission and shall be constructed of a width 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.

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

Dated at San Francisco, California, this 23d day of September, 1925.

H. B. Brundage
C. L. Seavey

Leon Whitell

Commissioners.