

Decision No. 15612.

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 an unnamed street, across Carroll Avenue, Third Street (Railroad Avenue), Keith, Jemmings and Ingalls Streets and across the double track railway of the Market Street Railway Company in Third Street (Railroad Avenue) at Carroll Avenue, in the City and County of San Francisco, State of California.



Application No. 11807

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 13th day of October, 1925, asking for authority to construct a drill track at grade across a portion of an unnamed street, across Carroll Avenue, Third Street (formerly Railroad Avenue), Keith Street, Jemmings Street and Ingalls Street, and across the tracks of Market Street Railway Company on Third Street, all in the City and County of San Francisco, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 6774) has been granted by the Board of Supervisors of said City and County for the construction of said crossing at grade and Market Street Railway Company has consented to the proposed crossing of its tracks. 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

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 drill track at grade across a portion of an unnamed street, across Carroll Avenue, Third Street (formerly Railroad Avenue), Keith Street, Jennings Street and Ingalls Street, in the City and County of San Francisco, State of California, as follows:

COMMENCING at the northwesterly corner of Third Street and Carroll Avenue; thence northwesterly along the northeasterly line of Carroll Avenue, a distance of 619.5 feet to a point distant 90 feet at right angles easterly from the surveyed center line of the Southern Pacific Company's main line; thence northerly parallel to said surveyed center line a distance of 90 feet to point of beginning of the line to be described; thence southeasterly on a number 7 turnout curve concave to the left and along an unnamed street for a distance of 70 feet to a point; thence on a curve to the left with a radius of 286.84 feet for a distance of 180 feet along above mentioned unnamed street and crossing Carroll Avenue to a point on the southwesterly line of Carroll Avenue, distant 162 feet northwesterly from the southwesterly corner of Carroll Avenue and Lane Street; thence continuing on private property to the said southwesterly corner of Carroll Avenue and Lane Street; thence southeasterly a distance of 137 feet to a point distant 24.5 feet northwesterly measured at right angles from the southwesterly line of Carroll Avenue, thence on a curve to the right with a radius of 955.04 feet to a point on the center line of Carroll Avenue 12 feet northwesterly from the westerly line of Third Street; thence along the center line of Carroll Avenue for a distance of 1741 feet to a point on the southeasterly line of Ingalls Avenue produced; crossing Third Street, Keith Street, Jennings Street and Ingalls Street;

and as shown by the map (C.D. Drawing 18133) 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 crossing of Third Street shall be constructed sub-

stantially 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 that portion of said street 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) Said crossings of a portion of an unnamed street, Carroll Avenue, Keith Street, Jennings Street and Ingalls Street shall be so constructed that grades of approach not exceeding two (2) per cent will be feasible in the event that the construction of roadways along said streets shall hereafter be authorized and so that said grade crossings may be made safe for the passage thereover of vehicles and other road traffic.

(4) No locomotive, train or car shall be operated over said crossing of Third Street except between the hours of twelve o'clock noon and one P.M.

(5) No locomotive, train or car shall be operated over said crossing of Third Street without first having been brought to a stop and unless traffic on said street be protected by a member of the train crew or other competent employee acting as a flagman.

(6) A derailing switch shall be installed on said drill track at a point not less than one hundred (100) feet northwest of the northwesterly line of Third Street in such a manner that a car traveling easterly toward the crossing will be derailed by said derailing switch.

IT IS HEREBY FURTHER ORDERED, that permission and authority be and it is hereby granted to Southern Pacific Company to construct a track at grade across the tracks of Market Street Railway Company, on Third Street at Carroll Avenue, in the City and

County of San Francisco, State of California, as shown by the map hereinbefore described, attached to the application; said crossing to be constructed subject to the following conditions, viz:-

(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 tracks of Market Street Railway Company and shall not proceed thereover until the conductor or other 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 Market Street Railway Company shall stop before crossing the track of applicant and shall not proceed thereover until the conductor or other competent employee has gone upon the crossing to ascertain if it is safe so to do and shall have given a suitable signal to proceed.

(4) Applicant shall within sixty (60) days of the date of this order file with the Commission a duly executed copy or copies of agreement or agreements with said Market Street Railway Company covering the terms of installation, operation and maintenance of said crossing.

IT IS HEREBY FURTHER ORDERED that:

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

(2) If said crossings shall not have been installed within one (1) 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.

(3) This order is made upon the express condition that the unnamed street, Carroll Avenue west of Third Street, Keith Street, Ingalls Street and Jennings Street are not now actually constructed and open to travel at the respective points of crossing, and said order shall not be deemed an authorization for the construction of an opening of said streets to public use across said railroad tracks.

(4) 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 November, 1925.

H. R. Brundage
C. Seaver
George D. Spence
Ernest A. ...

Commissioners.