

Decision No. 15614

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 Harrison Street and two spur tracks
across Fourth Street in the City of
Berkeley (Corbin Station) County of
Alameda, State of California.

Application No. 11869

BY THE COMMISSION:

ORDER

ORIGINAL

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 24th day of October, 1925, asking for authority to construct a spur track at grade across a portion of Harrison Street and two spur tracks across Fourth Street in the City of Berkeley, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 14713 N.S.) has been granted by the City Council of said City 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 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 Harrison Street and two spur tracks across Fourth Street in the City of Berkeley, County of Alameda, State of California, as follows:

PART NO. 1.

Commencing at a point in the Harrison Drill Track, said point being distant southwesterly 142 feet, more or less, and at right angles 22 feet, more or less, from the northwest corner of Fourth and Harrison Streets; thence 63 feet, more or less, northeasterly through a No. 7 turnout to a point of frog; thence continuing northeasterly from point of frog 17 feet more or less to a point in the northerly line of Harrison Street, said point being southwesterly 64 feet, more or less, from the northwest corner of Fourth and Harrison Streets.

PART NO. 2.

Commencing at a point in the westerly line of Fourth Street, said point being northerly 14 feet, more or less, from the intersection of the westerly line of Fourth Street with the Northerly line of Harrison Street; thence northeasterly 29 feet, more or less, to beginning of a 20° curve; thence 34 feet more or less along the arc of a curve, concave to the right with a radius of 286.8 feet to a point in the easterly line of Fourth Street, said point being northerly 26 feet more or less from the intersection of the easterly line of Fourth Street with the northerly line of Harrison Street.

PART NO. 3.

Commencing at a point in the westerly line of Fourth Street, said point being northerly 20 feet, more or less, from the intersection of the westerly line of Fourth Street with the northerly line of Harrison Street; thence northeasterly 42 feet, more or less, to beginning of a 20° curve; thence 22 feet, more or less, along the arc of a curve concave to the right with a radius of 286.8 feet to a point in the easterly line of Fourth Street, said point being northerly 37 feet more or less from the intersection of the easterly line of Fourth Street with the northerly line of Harrison Street.

and as shown by the map (No. C-182, Sheet 2) 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. 2, 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 roadway and with grades of approach not exceeding three (3) 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 November, 1925.

H. F. Brundage
C. Seaver
George D. Squires
Ernest Wood

Commissioners.