

Decision No. 15680.

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  
26th Street and a portion of Campbell  
Street, in the City of Oakland, County  
of Alameda, State of California.

ORIGINAL

Application No. 12,015.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 12th day of November, 1925, asking for authority to construct a spur track at grade across a portion of 26th Street and a portion of Campbell Street in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 34230 N.S.) has been granted by the City Council of said City of Oakland 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 portions of 26th Street and Campbell Street 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 26th Street and a portion of Campbell Street, in the City of Oakland, County of Alameda, State of California, as follows:

Commencing at a point in 26th Street, said point being distance 24 feet, more or less easterly from the westerly line of Campbell Street, and 10 feet more or less from the southerly line of 26th Street, produced easterly; thence southeasterly through a No. 7 turnout a distance of 38 feet, more or less, to a point on the intersection of the easterly line of Campbell Street with southerly line of 26th Street;

and as shown by the map (Dwg O:688 Sheet 1) 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 so constructed that grades of approach not exceeding one (1) per cent will be feasible in the event that the construction of roadway 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.

(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) This order is made upon the express condition that said streets 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 street to public use across said railroad tracks.

(6) 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 21st day of November, 1925.

H. B. Bondage  
C. Deane  
George D. Squire  
Leon Whitell

Commissioners.