

Decision No. 15803

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application  
of The Western Pacific Railroad  
Company for permission to con-  
struct a spur track at grade  
across Thornton Street, a public  
street in the City of San Leandro,  
County of Alameda, State of Calif-  
ornia.

Application No. 12227.

ORIGINAL

BY THE COMMISSION:

O R D E R

The Western Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 8th day of December, 1925, asking for authority to construct a spur track at grade across Thornton Street in the City of San Leandro, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 341 N.S.) has been granted by the Board of Trustees of said City of San Leandro for the construction of said crossing 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 a grade separation, or to avoid a grade crossing at the point mentioned in this application with said Thornton 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 The Western Pacific Railroad Company to construct a spur track at grade across Thornton Street, in the City of San Leandro, County of Alameda, State of California, as follows:

Beginning at a point in the center line of the main line of The Western Pacific Railroad Company distant thereon approximately 195 feet easterly from the easterly line of Thornton Street in the City of San Leandro, California; thence in a westerly direction diverging with a turn out to the right, approximately 95 feet; thence on a curve to the right having a radius of 358.39 feet, a distance of approximately 160 feet, to a point, crossing the easterly line of Thornton Street approximately 120 feet southerly from the southerly line of Park Street; thence on a curve to the left, having a radius of 358.39 feet, a distance of approximately 60 feet to a point approximately 108 feet southerly from the southerly line of said Park Street and approximately 60 feet westerly from the westerly line of said Thornton Street and crossing the westerly line of said Thornton Street approximately 115 feet southerly from the southerly line of said Park Street; thence continuing in a westerly direction approximately 108 feet southerly from and parallel with the southerly line of said Park Street a distance of approximately 240 feet to the easterly line of Parrott Street;

and as shown by the map (C.E. 1597) 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 for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing shall be constructed equal or superior to type shown as Standard No. 2, as specified in General Order No. 72 of this Commission and shall be constructed without super-elevation and of a width to conform to that portion of said Thornton Street now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding one (1) per cent; shall be protected by a suitable crossing sign 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 crossing.

(4) If said crossing 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 crossing 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 28<sup>th</sup> day of December, 1925.

H. B. Brundage  
C. Searcy  
George D. Squires  
Leon Whitell  
Commissioners.