

Decision No. 15863.

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 Newcomb Avenue and across Quint, Rankin, Selby and Toland Streets, in the City and County of San Francisco, State of California.

Application No. 11596.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 19th day of August, 1925, asking for authority to construct a spur track at grade across a portion of Newcomb Avenue and across Quint, Rankin, Selby and Toland Streets, in the City and County of San Francisco, State of California, as hereinafter set forth. Southern Pacific Company has applied to Board of Supervisors of said City and County for the necessary permit for the construction of said crossings at grade. The Western Pacific Railroad Company on September 21, 1925 filed a formal objection to the granting of this application but did not allege any reasons for denying the application that appear to justify this Commission in the exercise of its jurisdiction to withhold the granting of this application. 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 the formal objection of The Western Pacific Railroad Company to the granting of this application be and it is hereby overruled.

IT IS HEREBY FURTHER 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 Newcomb Avenue and across Quint, Rankin, Selby and Toland Streets, in the City and County of San Francisco, State of California, as follows:

Beginning at a point on the southwesterly line of Newcomb Avenue, distant thereon 100 feet, more or less, southeasterly from the southeasterly line of Quint Street; thence northwesterly on a curve concave to the left, with a radius of 365 feet, crossing the intersection of Quint Street and Newcomb Avenue, for a distance of 170 feet, more or less, to the intersection of the center line of Newcomb Avenue and the northwesterly line of Quint Street produced; thence northwesterly along said center line of Newcomb Avenue, crossing Rankin Street and Selby Street, for a distance of 1328 feet, more or less, to a point on the northwesterly line of Selby Street, distant thereon 240 feet, more or less, northeasterly from the northeasterly line of Oakdale Avenue; thence continuing on private property to a point on the southeasterly line of Toland Street, distant thereon 240 feet, more or less, northeasterly from the northeasterly line of Oakdale Avenue; thence northwesterly, crossing Toland Street, for a distance of 64 feet, more or less, to a point on the northwesterly line of Toland Street, distant thereon 240 feet, more or less, northeasterly from the Northeasterly line of Oakdale Avenue.

and as shown by the map (Coast Div. No. 15399) attached to Application No. 11445; 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 four (4) 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) Applicant shall, before the installation of the crossings herein authorized, procure the necessary permit or franchise from the City and County of San Francisco and shall file with this Commission within thirty (30) days from date hereof a certified copy thereof. In the event that this is not done, the authorization herein granted for the installation of said crossings shall lapse and shall thereupon become null and void and of no further force and effect.

(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

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the date hereof.

Dated at San Francisco, California, this 15th
day of January, 1926.

H. H. Brundage

O. Cheney

George D. Squires

Commissioners.

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