

Decision No. 15913

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 Surryhne Street and  
across Thirty-fourth Street, in the  
City of Oakland, County of Alameda,  
State of California.

ORIGINAL

Application No. 12452.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 20th day of January, 1926, asking for authority to construct a spur track at grade across a portion of Surryhne Street and across Thirty-fourth Street, in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 34737 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 a grade separation, 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 Surryhne Street and across Thirty-fourth Street, in the City of Oakland, County of Alameda, State of California, as follows:

BEGINNING at the southeasterly corner of 34th and Surryhne Streets; thence southerly along the easterly line of said Surryhne Street 164 feet, more or less; thence at right angles westerly 30 feet to the center line of said Surryhne Street and being a point in the center line of the joint Southern Pacific-Santa Fe Drill Track, and to the point of beginning of spur track to be described; thence northerly through a standard number 10 turnout 80.37 feet to point of frog; thence northerly at an angle of 50°44' with said line of Surryhne Street, 19 feet, more or less, to a point of curve; thence in curve to the right having a radius of 229.64 feet, a distance of 70 feet, more or less, to a point in 34th Street opposite and distant 10 feet westerly measured at right angles to center line of track, from the said southeasterly corner of 34th and Surryhne Streets; thence continuing on last mentioned curve 42 feet, more or less, to a point in 34th Street; thence in a straight line northeasterly 22 feet, more or less, to a point in the northwesterly line of 34th Street, distant thereon 245 feet, more or less, from the northwesterly corner of 34th and Wood Streets.

and as shown by the map (Drawing O-711-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 three (3) per cent will be feasible in the event that the construction of roadway along said Surryhne Street and Thirty-fourth Street 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 Surryhne and Thirty-fourth Streets are not now actually constructed 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.

(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 29<sup>th</sup> day of January, 1926.

H. B. Brundage  
C. Leary

Leon C. Shell  
Commissioners.