

DECISION No. 15990

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 "R" Street, in the City of Sacramento, County of Sacramento, State of California.

Application No. 12489.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 3rd day of February, 1926, asking for authority to construct a spur track at grade across a portion of "R" Street in the City of Sacramento, County of Sacramento, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 694) has been granted by the City Council of said City of Sacramento 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 portion of "R" 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 "R" Street, in the City of Sacramento, County of Sacramento, State of California, as follows:

Commencing at a point in the east line of 15th Street, in the center of Southern Pacific Company's existing main track on R Street, running thence Easterly through a No. 7 turnout to the left and thence through a 20 degree curve to the left, a distance of approximately 120 feet; thence on a 20 degree curve to the right a distance of approximately 108 feet to a point 8-1/2 feet southerly from the north property line of R Street; thence easterly parallel to and 8-1/2 feet southerly from the north property line of R Street, a distance of approximately fifty feet to the end of said proposed track.

and as shown by the map (Sacto. Div'n. Sac. 7308) 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. 3, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said "R" 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) Nothing in this order shall be construed as an authorization by this Commission for the construction of a track in such a manner as will be contrary to any of the provisions of General Order No. 26-a of this Commission.

(6) 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 15th day of February, 1926.

H. B. Brundage
C. Seamy
Ernest A. ...

Commissioners.