

Decision No. 16438.

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 First Street and across
Webster Street, in the City of Oak-
land, County of Alameda, State of
California.

Application No. 12,696.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 31st day of March, 1926, asking for authority to construct a spur track at grade across a portion of First Street and across Webster Street, in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the City Council of said City 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 points mentioned in this application with said First and Webster 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 First Street and across Webster Street, in the City of Oakland, County of Alameda, State of California, as follows:

Commencing at a point on the drill track in First Street, said point being 152 feet more or less easterly from the easterly line of Webster Street and 37 feet more or less at right angles northerly from the southerly line of First Street; thence northwesterly 54 feet more or less through a No. 7 turnout; thence on a line through the frog point of said No. 7 turnout making an angle of $8^{\circ} 10'$ with the center line of the said drill track 116 feet more or less to a point which is 20 feet more or less westerly at right angles from the easterly line of Webster Street and 15 feet, more or less, northerly at right angles from the southerly line of First Street, produced westerly, as the same is located between Webster Street and Harrison Street; thence on a curve to the right having a radius of 382.25 feet a distance of 55 feet, more or less, to a point which is 10 feet easterly at right angles from the westerly line of Webster Street and 8.5 feet southerly from the southerly line of First Street, produced easterly, as the same is located between Webster Street and Franklin Street; thence westerly to a point on the westerly line of Webster St. 8.5 ft. southerly along the westerly line of Webster St. from the southerly line of First Street,

and as shown by the map (No. O-702 Sheet 1 Rev.) attached to the application; said crossing to be constructed subject to the following conditions, namely:

(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 without superelevation and of a width to conform to those portions of said streets now graded, with the tops of rails at same elevation as main line rails and flush with the pavement, and with grades of approach not exceeding one (1) 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) Said crossing of Webster Street shall be protected by crossing gates.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(5) 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.

(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 9th day of April, 1926.

H. B. Brundage
C. S. Seavey
Ernest R. Smith

Commissioners.