

Decision No. 16462.

ORIGINAL

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 Fifteenth Street, in the City of  
Sacramento, County of Sacramento, State  
of California.

Application No. 12,699

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the first day of April, 1926, asking for authority to construct a spur track at grade across Fifteenth Street in the City of Sacramento, County of Sacramento, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 26) 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 Fifteenth 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 Fifteenth Street in the City of

Sacramento, County of Sacramento, State of California, as follows:

Beginning at a point in the westerly line of 15th Street, 15 feet more or less northerly from the northerly line of the alley lying between A and B Streets; thence running easterly across 15th Street to the easterly line thereof, to a point 18 feet more or less northerly from the northerly line of the alley as aforesaid;

and as shown by the map 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 so constructed that grades of approach not exceeding two (2) per cent will be feasible in the event that the construction of roadway along said 15th Street shall hereafter be authorized and so that said grade crossing 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 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) This order is made upon the express condition that said 15th Street is not now actually constructed and open to travel at the point of crossing, and said order shall not be deemed an authorization for the construction of an opening of said street to public use across said railroad track.

(6) The Commission reserves the right to make such further orders relative to the location, construction, operation, mainten-

ance 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 10th day of April, 1926.

H. H. Dunning

O. S. Searcy

Ernest W. Davis

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Commissioners.