

Decision No. 17178

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of the Western Pacific Railroad Company for permission to construct a spur track at grade across "S" Street, and across the alley which runs easterly and westerly through the block bounded by 19th, 20th, "R" and "S" Streets, in the City of Sacramento, County of Sacramento, State of California.

Application No. 12993.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, filed the above-entitled application with this Commission on the 2nd day of July, 1926, asking for authority to construct a spur track at grade across "S" Street and across an unnamed alley between "R" and "S" Streets, in the City of Sacramento, County of Sacramento, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 72) 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 grade separations, or to avoid grade crossings at the points mentioned in this application with said street and alley 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 The Western Pacific Railroad Company to construct a spur track at grade across "S" Street and across an unnamed

alley lying between "R" and "S" Streets, in the City of Sacramento, County of Sacramento, State of California, as follows:

Beginning at a point in the center line of the existing spur track of The Western Pacific Railroad Company, said point being approximately 80 feet northerly from the northerly line of "T" Street and 112 feet westerly from the westerly line of 20th Street; thence in a general northerly direction with a turnout to the left, approximately 76 feet; thence along a curve to the left having a radius of 234.30 feet, a distance of approximately 59 feet to a point distant 90 feet westerly, at right angles, from the westerly line of 20th Street; thence northerly, parallel with and 90 feet distant from the said westerly line of 20th Street, crossing "S" Street and the alley between S and R Streets, a distance of approximately 551 feet to the south line of R Street.

and as shown by the map (Exhibit A) attached to the application; said crossings to be constructed subject to the following conditions, namely:

(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) The crossing of "S" Street shall be constructed substantially in accordance with Standard No. 3, in General Order No. 72 of this Commission and the crossing of the unnamed alley shall be constructed in accordance with Standard No. 1 in said General Order. Both crossings shall be constructed of a width to conform to those portions of said street and alley now graded, with tops of rails flush with the roadway, 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) 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 grant-

ed shall then lapse and become void, unless further time is granted by subsequent order.

(5) 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 2<sup>nd</sup> day of August, 1926.

J. H. Brundage

C. C. Cheaney

Leon Whitall

Thos. S. Rutter

Commissioners.