

ORIGINAL

Decision No. 17182.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construc-
tion at grade of a proposed spur
track across Ninth Street and
across a portion of "R" Street,
in the City of Sacramento,
County of Sacramento, State of
California.

Application No. 13057.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 28th day of July, 1926, asking for authority to construct a spur track at grade across Ninth Street and 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. 84) 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 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 to construct a spur track at grade across Ninth Street and a portion of "R" Street in the City of Sacramento, County of Sacramento, State of California, as follows:

Beginning at a point in the center line of the Southern Pacific Company's existing main track on R Street, said point being approximately 109 feet west of the west line of 9th Street; thence running easterly thru a No. 7 turnout to the right which makes an angle of $8^{\circ}10'$ with the main track, a distance of approximately 73 feet to a point; thence on a 20 degree curve to the right a distance of approximately 50 feet to a point which is approximately 8 feet east of the westerly line of 9th Street; thence on a 20 degree curve to the left a distance of approximately 91 feet to a point which is 8.5 feet northerly from the south property line of R Street; thence parallel to and 8.5 feet northerly from the south property line of R Street, a distance of approximately 140 feet to the end of the said proposed track;

and as shown by the map (Sacramento Division Drawing 7506) 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) Said crossings shall be constructed substantially in accordance with 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 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) 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.

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

(5) 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.

(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 2nd day of

August, 1926.

H. B. Mendigo

C. Stearns

Leon Whitell

Thos. S. Rowlett

Commissioners.