

ORIGINAL

Decison No. 17205.

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 Doyle Street and across
Sixty-third Street, in the Town of
Emeryville, County of Alameda, State
of California.

Application No. 13070.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 30th day of July, 1926, asking for authority to relocate a spur track at grade across a portion of Doyle Street and across Sixty-third Street in the Town of Emeryville, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 873) has been granted by the Board of Trustees of said Town for the relocation 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 Doyle and Sixty-third 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 relocate a spur track at grade across a portion of Doyle Street and across Sixty-third Street, in the Town of Emeryville, County of Alameda, State of California, as follows:

Beginning at a point on the center line of the existing westward Ninth Street Electric Line on Doyle Street, distant thereon southerly 119 feet, more or less, from the southerly line of 63d Street; thence northerly on a curve concave to the left through a #7 turnout at distance of 54.21 feet to a point distant 4.7 feet measured at a right angle westerly from the aforesaid center line; thence continuing northerly and tangent to last-named course bearing $80^{\circ} 10'$ to the left of aforesaid center line a distance of 12 feet to a point; thence continuing northerly on a curve concave to the left with a radius of 573.14 feet, a distance of 52 feet to a point; thence continuing northerly, tangent to last-named curve a distance of 20 feet to a point in 63d street; thence continuing northerly across 63d street on a curve concave to the right with a radius of 573.14 feet, a distance of 60 feet, more or less, to a point on the northerly line thereof, distant thereon westerly 7.5 feet from the westerly line of Doyle Street and 198.21 feet from point of beginning.

and as shown by the map (Drawing 3972) attached to the application; said crossing to be relocated 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. 2, 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 three (3) 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 remove the track shown in yellow on the map (Drawing 3972) attached to the application, insofar as they line in Doyle Street and Sixty-third Street; and shall repair the street to conform to the remainder thereof.

(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 11th day of August, 1926.

H. B. Bourdige

C. L. ...

Ernest ...

Thos. S. ...

Commissioners.