

Decision No. 17245

## 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 track across 68th Avenue and a portion of Beck Street and two tracks across Church Street and a portion of Beck Street, in the City of Oakland, County of Alameda, State of California.

ORIGINAL

Application No. 13064.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 29th day of July, 1926, asking for authority to construct a track at grade across 68th Avenue and a portion of Beck Street and two tracks at grade across Church Street and a portion of Beck Street, in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 36619 N.S.) 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 68th Street, Church Street and Beck 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 track at grade across 68th Avenue and a portion of Beck Street and two tracks at grade across Church Street and a portion of Beck Street, in the City of Oakland, County of Alameda, State of California, as follows:

1st: Beginning at a point on the center line of the westward main track of the Central Pacific Railway Company, as said track exists on Beck Street in the City of Oakland, California, distant thereon westerly 57 feet more or less from the westerly line of 68th Avenue; thence southeasterly on a curve concave to the right through a switch or turnout a distance of 65 feet more or less to a point; thence continuing southeasterly crossing the intersection of Beck Street and 68th Avenue, a distance of 40 feet more or less to a point; thence continuing southeasterly on a curve concave to the left through a switch or turnout a distance of 62 feet more or less to an intersection with the center line of the existing eastbound track of the Central Pacific Railway Company, distant thereon easterly 58 feet more or less from the easterly line of 68th Avenue and being 167 feet from point of beginning.

2nd: Beginning at a point on the center line of the westbound main track of the Central Pacific Railway Company, as said track exists in Beck Street in the City of Oakland, California, distant thereon easterly 45 feet more or less from the easterly line of 68th Avenue; thence southeasterly on a curve concave to the right through a standard turnout or switch a distance of 82 feet more or less to a point; thence continuing southeasterly on a curve concave to the right with a radius of 573 feet, a distance of 120 feet to a point in the intersection of Beck Street and Church Street; thence continuing southeasterly tangent to last named course a distance of 20 feet more or less to a point on the westerly line of Church Street distant thereon northerly 92 feet more or less from the northerly line of Todd Street and being 222 feet from point of beginning.

3rd: Beginning at a point on the center line of the eastbound main track of the Central Pacific Railway as said track exists on Beck Street in the City of Oakland, California, distant thereon easterly 70 feet more or less from the easterly line of 68th Avenue; thence southeasterly along Beck Street and the intersection thereof with Church Street on a curve concave to the right with a radius of 573 feet, a distance of 172 feet to a point in Church Street, thence continuing southeasterly across Church Street, tangent to last named course a distance of 25 feet more or less to a point on the easterly line of Church Street, distant thereon northerly 79 feet more or less from the northerly line of Todd Street, and being 197 feet from point of beginning. Above described center line being a relocation of a portion of the existing eastbound main track of the Central Pacific Company.

and as shown by the map (East Bay Div. Drawing No. 3794) 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. 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 two (2) 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) The applicant shall, at its own expense, remove the track shown in yellow on the map attached to the application and restore the street to its original condition.

(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 18<sup>th</sup> day of August, 1926.

H. B. Brundage  
C. L. Seavey  
Leon A. Wiley  
Thos. C. Ruttell

Commissioners.