

ORIGINAL

Decision No. 18421.

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 5th Street, a
public street in the City of Sacramento,
County of Sacramento, State of California.)

Application No. 13,796.

BY THE COMMISSION:

O R D E R

The Western Pacific Railroad Company, a corporation, filed the above-entitled application with this Commission on the 18th day of May, 1927, asking for authority to construct a spur track at grade across Fifth Street in the City of Sacramento, County of Sacramento, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 199) has been granted by the City Council of said City 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 Fifth 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 The Western Pacific Railroad Company

to construct a spur track at grade across Fifth Street in the City of Sacramento, County of Sacramento, State of California, at the location hereinafter particularly described and as shown in yellow on the map (Exhibit "A" Revised May 10, 1927) attached to the application.

Description of Crossing.

BEGINNING at a point in the center line of the most northerly existing track of the Applicant in the block bounded by Fifth Street, Whitney Avenue, Sixth Street and "R" Street, in the City of Sacramento, County of Sacramento, State of California; said point being distant thereon approximately 140 feet easterly from the easterly line of said Fifth Street; thence in a general westerly direction along a turnout to the right 70 feet; thence along a curve to the right, having a radius of 409.51 feet, a distance of approximately 57 feet; thence along a curve to the left, having a radius of 409.51 feet, a distance of approximately 115 feet; crossing the easterly line of said Fifth Street approximately 74 feet northerly from the northerly line of said "R" Street, also crossing the westerly line of said Fifth Street approximately 87 feet northerly from the northerly line of said "R" Street; thence in a direct line westerly, approximately 89 feet from and parallel with said northerly line of "R" Street, a distance of approximately 230 feet to point of termination.

The above crossing shall be identified as Crossing No.

4-379.35-C.

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 constructed equal or superior to type shown as Standard No. 3, in General Order No. 72 of this Commission and shall be constructed without superelevation and of

a width to conform to that portion of said street now graded, with the tops of rails 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, 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) 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 1st day
of June, 1927.

W. B. Bondiger

C. A. Seaver

Thos. J. Roulet

Commissioners.

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