

ORIGINAL

Decision No. 18603.

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 along Third Street and
across Jefferson Street, public streets
in the City of Oakland, County of
Alameda, State of California.

Application No. 13,802.

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 19th day of May, 1927, asking for authority to construct a spur track at grade across Third Street and Jefferson Street in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution 39357 N.S.) 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 Third and Jefferson 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 The Western Pacific Railroad Company to construct a spur track at grade across Third Street and Jefferson Street in the City of Oakland, County of Alameda, State of California, at the location hereinafter particularly described and as shown by the map (Exhibit A) attached to the application.

Description of Crossing.

Beginning at a point in the center line of the main track of the applicant on Third Street, Oakland, California, distant thereon approximately 102 feet easterly from the easterly line of Jefferson Street; thence westerly along a turnout to the left a distance of 70 feet; thence along the arc of a curve to the left, with a radius of 286.84 feet, a distance of 39 feet, crossing the easterly line of Jefferson Street at a point approximately 20 feet northerly thereon from the southerly line of Third Street; thence westerly along the arc of a curve to the right, with a radius of 286.84 feet, a distance of 75 feet to a point on the westerly line of Jefferson Street distant 10 feet northerly thereon from the south line of said Third Street; thence westerly, parallel with and distant 10 feet northerly from the south line of said Third Street, a distance of approximately 175 feet; thence along the arc of a curve to the left, with a radius of 286.84 feet, a distance of approximately 20 feet to a point in the center line of the existing spur track on Third Street, between Jefferson and Grove Streets.

The above crossing shall be identified as Crossing No. 4-6.39.

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 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 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 remove the track shown in red on the map (Exhibit A) attached to the application, in so far as it lies in 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 judg-

ment, 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 8th
day of July, 1927.

Edmunds

Albeaux

Leon Whittell

Thos. R. Carter

Commissioners.