

Decision No. 18758

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application
of The Western Pacific Railroad
Company for permission to con-
struct a spur track at grade over
and across Adeline Street, a pub-
lic street in the City of Oakland,
County of Alameda, State of
California.

ORIGINAL

Application No. 13968.

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 3rd day of August, 1927, asking for authority to construct a spur track at grade across Adeline Street in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 35771 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 Adeline 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 Adeline 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 of connection with the existing track of The Western Pacific Railroad Company in the block bounded by First, Adeline, Third and Chestnut Streets, said point being distant approximately 40 feet easterly from the easterly line of Adeline Street; thence in a general westerly direction, with curve to the left having a radius of 287.9 feet, a distance of 61 feet, crossing the easterly line of said Adeline Street approximately 50 feet northerly thereon from the northerly line of First Street; thence on a reverse curve to the right having a radius of 287.9 feet, 61 feet to a point in the westerly line of said Adeline Street, distant northerly thereon approximately 40 feet from said northerly line of First Street; thence on a tangent, 40 feet from and parallel with said line of Adeline Street, 150 feet to point of termination.

The above crossing shall be identified as Crossing No. 4-5.8-C.

The 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 one (1) per cent, to the south of said crossing, and not exceeding two (2) per cent to the north of said crossing; 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) No train, engine, motor or car shall be operated

over said crossing unless said train, engine, motor or car shall be under full control and unless traffic over the street be protected by a member of the train crew or other competent employee acting as flagman.

(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 2nd day
September
of ~~1927~~, 1927.

Al Seaver

Leon Whitell

Thos. S. Curtis

M. J. Lane
Commissioners.