

Decision No. 18770

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the Alameda Belt Line for an order authorizing the construction, maintenance and operation of crossings at grade of the tracks of Southern Pacific Company and Key System Transit Company at Webster Street in the City of Alameda, State of California, and other points in the immediate vicinity.

ORIGINAL

Application No. 13720.

BY THE COMMISSION:

ORDER

Alameda Belt Line, a corporation, filed the above entitled application with this Commission on the 22nd day of April, 1927, asking for authority to construct its main track at grade across Webster Street, at grade across the tracks of Key System Transit Company, located therein, and at grade across tracks of Southern Pacific Company between Webster and Eighth Streets, all in the City of Alameda, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 311) has been granted by the City Council of said City of Alameda for the construction of said crossing of Webster Street at grade. Central Pacific Railway Company and Southern Pacific Company, its lessee, on April 14th, 1927, entered into an agreement with Alameda Belt Line, covering the construction of the crossings of Southern Pacific tracks. A certified copy of the agreement covering terms of installation, maintenance and protection of said crossings has been filed with this Commission. Key System Transit Company has signified by letter, dated April 27th, 1927, that it has

no objection to the installation of the crossing of its street car line in Webster Street 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 street and tracks 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 Alameda Belt Line to construct its main track at grade across Webster Street in the City of Alameda, County of Alameda, State of California, at the location hereinafter particularly described and as shown by the map (Dwg. No. 285-E) attached to the application.

#### Description of Crossing

Beginning at a point on the easterly line of Webster Street which is 730 feet northerly from the northerly line of Buena Vista Avenue; thence continuing westerly a distance of 80.2 feet, and crossing Webster Street, to a point in the westerly line of Webster Street which is 735.64 feet northerly from the northerly line of Buena Vista Avenue.

The above crossing shall be identified as Crossing No. 10-2.64.

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) The said crossing shall be constructed substantially in accordance with Standard No. 4, in General Order No. 72 of this Commission and shall be constructed 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; 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 on the highway 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.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted to Alameda Belt Line to construct its main track at grade across the double track street car line of Key System Transit Company in Webster Street, City of Alameda, County of Alameda, State of California, at Engineer Stations 79+39 and 79+50, as shown by the map (Dwg. No. 285-E) attached to the application, said crossings to be constructed subject to the following conditions, namely:

(1) Applicant shall, within sixty (60) days of the date of this order file with the Commission a duly executed copy or copies of agreement or agreements with said Key System Transit Company, covering the terms of installation, operation and maintenance of said crossings.

(2) All trains, motors, engines and cars of applicant shall stop before crossing the tracks of Key System Transit Company and shall not proceed thereover until the conductor or other competent employee has gone upon the crossing to ascertain that it is safe so to do and shall have given a suitable signal to proceed.

(3) All trains, motors, engines or cars of Key System Transit Company shall stop before crossing the track of applicant and shall not proceed thereover until it has been ascertained that it is safe so to do.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted to Alameda Belt Line to construct its main track at grade across the tracks of Southern Pacific Company between Webster Street and Eighth Street in the City of Alameda, County of Alameda, State of California, at Engineer Stations 71+85, 73+80, 73+93, 74+11, 74+24 and 74+42, as shown by the map (Drawing No.285-E) attached to the application, said crossings to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing and maintaining the crossings shall be borne by Alameda Belt Line, as set forth in the agreement hereinbefore mentioned and which is hereby approved.

(2) All trains, motors, engines and cars of applicant shall stop before crossing the tracks of Southern Pacific Company and shall not proceed thereover until the conductor or other competent employee has gone upon the crossing to ascertain that it is safe so to do and shall have given a suitable signal to proceed.

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 7<sup>th</sup> day of September, 1927.

Ernest C. [Signature]  
Osseary  
Leon [Signature]  
Thos [Signature]  
[Signature]  
Commissioners.