

Decision No. 19001

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 Martinez Street
 and over and across Ward Street,
 public streets in the City of San
 Leandro, County of Alameda, State of
 California.

Application No. 14131.

ORIGINAL

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 8th day of October, 1927, asking for authority to construct a spur track at grade across a portion of Martinez and across Ward Street, in the City of San Leandro, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 362 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 Martinez Street and Ward 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 Martinez Street and Ward Street in the City of San Leandro, 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 Western Pacific Railroad Company in the city of San Leandro, County of Alameda, State of California, said point being northwesterly thereon approximately 180 feet from the northwesterly line of Ward Street, extended southwesterly; thence in a southeasterly direction along a turnout to the right 96.15 feet; thence along a 12° curve to the right, having a radius of 478.33 feet, a distance of 66.39 feet; thence continuing in a direct line southeasterly 84.18 feet, crossing said northwesterly line of Ward Street approximately 45 feet southwesterly thereon from the northeasterly line of Martinez Street; also crossing the existing track of The Western Pacific Railroad Company at a point approximately in the center line of said Ward Street; thence along a 16° curve to the left, having a radius of 359.26 feet, a distance of 100 feet to point of connection with existing track, approximately 80 feet southeasterly from the southeasterly line of said Ward Street and 8-1/2 feet northeasterly at a right angle from the southwesterly line of said Martinez Street approximately 18 feet northeasterly from the southwesterly line of said Martinez Street.

The above crossing shall be identified as Crossing No. 4-14.8.

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. 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 flush with the roadway 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 4th day of November, 1927.

Emmott
C. Seaver
Leon Whitt
Paul R. Curtis
M. A. Cunn

Commissioners.