

ORIGINAL

Decision No. 19675-.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application
of The Atchison, Topeka and Santa
Fe Railway Company, a corporation,
for authority to construct a spur
track across Union Street, between
19th and 21st Streets, in the City
of Oakland, County of Alameda,
State of California.

Application No. 14569.

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 4th day of April, 1928, asking for authority to construct a spur track at grade across Union Street in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 41542 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 Union 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 Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across Union Street in the City of Oakland, County of Alameda, State of California, at the location hereinafter particularly described and as shown by the map (Div. Engr. No. T-4-449) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the center line of an existing track of The Atchison, Topeka and Santa Fe Railway, in the City of Oakland, Alameda County, California, 38.5 feet easterly from the intersection of said center line with the eastern line of Union Street; thence westerly across private property on a curve to the left, having a radius of 398.94 feet a distance of 58.3 feet to a point on said eastern line of Union Street 168.7 feet northerly from the northern line of Nineteenth Street; thence continuing westerly across Union Street on last described curve a distance of 14.2 feet; thence westerly on a curve to the right having a radius of 319.6 feet a distance of 45.4 feet to a point on the western line of Union Street 160.5 feet northerly from the intersection of said western line of Union Street with said northern line of Nineteenth Street produced across Union Street; thence continuing westerly, across private property, on last described curve a distance of 19.8 feet; thence westerly parallel with and 15.0 feet southerly from said existing track a distance of 210.9 feet to end.

The above crossing shall be identified as Crossing No. 2K-12.74-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. 2, in General Order No.

72 of this Commission and shall be constructed without super-elevation 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; shall be protected by a crossing sign substantially in accordance with Standard No. 1 in General Order No. 75 of this Commission and shall in every way be made suitable 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 25th day of April, 1928.

Leon C. O'Connell

Thos. J. Louie

W. J. Lane

Commissioners.