

Decision No. 20001

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, maintain  
 and operate a passing track at grade  
 across "A" Street in the Town of Hay-  
 ward, County of Alameda, State of  
 California, and across Sunset Boule-  
 vard and Grove Way in said Alameda  
 County.

ORIGINAL

Application No. 14839.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation,  
 filed the above entitled application with this Commission on the  
 29th day of June, 1928, asking for authority to construct a pass-  
 ing track at grade across "A" Street in the Town of Hayward,  
 County of Alameda, and Sunset Boulevard and Grove Way in the un-  
 incorporated portion of the County of Alameda, State of California,  
 as hereinafter set forth. The necessary permits have been granted  
 by the Board of Trustees of said City and the Board of Supervisors  
 of said County for the construction of said crossings 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 applica-  
 tion with said 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 con-  
 struct a passing track at grade across "A" Street in the Town of

Hayward, County of Alameda, and Sunset Boulevard and Grove Way in the unincorporated portion of the County of Alameda, State of California, at the locations hereinafter particularly described and as shown by the map (Exhibit "A") attached to the application.

Description of Crossings

BEGINNING at the point of intersection of the center line of existing track Western Pacific Railroad Company, a corporation, with the southeasterly line of "A" Street, in the Town of Hayward, distant northeasterly thereon approximately 130 feet from the northeasterly line of Grand Street; thence northwesterly along a 10 degree curve to the left, having a radius of 573.686 feet, an arc distance of approximately 82 feet, crossing the northwesterly line of said "A" Street approximately 108 feet northeasterly from the northeasterly line of said Grand Street, extended northwesterly.

BEGINNING at a point in the center line of the main line track of Applicant, distant northwesterly thereon 9.7 feet from the northwesterly line of "A" Street in the Town of Hayward; thence northwesterly along a No. 8-1/2 turnout to the left a distance of approximately 210 feet to a point distant 15 feet southwesterly, measured at a right angle from the center line of said main line track; thence northwesterly, 15 feet from and parallel with said center line, a distance of 3996.5 feet, crossing the southeasterly and northwesterly lines of Sunset Boulevard and Grove Way 15 feet southwesterly measured at right angles from said center line.

The above crossing of "A" Street shall be identified as a portion of Crossing No. 4-20.2.

The above crossing of Sunset Boulevard shall be identified as a portion of Crossing No. 4-19.8.

The above crossing of Grove Way shall be identified as a portion of Crossing No. 4-19.5.

Said crossings to be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossings, together with the cost of their 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 of "A" Street shall be constructed equal or superior to type shown as Standard No. 3, and said crossings of Sunset Boulevard and Grove Way 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 of a width to conform to those portions of said streets now graded, with the tops of rails at same elevation as main line rails and flush with the pavement or roadway, and with grades of approach not exceeding six (6) per cent; shall be protected by Standard No. 1 crossing signs, as specified 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) Said crossing of "A" Street shall be protected by an automatic wig-wag of the type specified as Standard No. 3 in the Commission's General Order No. 75.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(5) If said crossings 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 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 9<sup>th</sup> day of July, 1928.

Lion Whitell

Chas. J. ...

Emm ...

Thos. J. ...

M. J. ...

Commissioners.