

ORIGINALDecision No. 20143.

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 spur track
at grade across Alice Street, be-
tween Third and Fourth Streets, in
the City of Oakland, County of
Alameda, State of California.

Application No. 14930.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 30th day of July, 1928, asking for authority to construct a spur track at grade across Alice Street in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 42293 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 Alice 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 Alice 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 - Proposed Track Extension to serve Western States Grocery Co.) attached to the application.

DESCRIPTION OF CROSSING

BEGINNING at a point in the center line of existing track of applicant in Block 34, in the City of Oakland, County of Alameda, State of California, distant northwesterly along said center line approximately 70 feet from the northwesterly line of Alice Street; thence in an easterly direction along a No. 7 turnout to the right approximately 62 feet; thence continuing easterly a distance of approximately 116 feet to point of connection with existing track of applicant in Block 35; crossing the northwesterly line of Alice Street approximately 85 feet northeasterly thereon from the northeasterly line of Third Street; also crossing the southeasterly line of said Alice Street approximately 79 feet northeasterly thereon from the northeasterly line of said Third Street; being a total length of approximately 179 feet.

The above crossing shall be identified as a portion of Crossing No. 4-6.85.

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

(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 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 Standard No. 1 crossing sign as

