

Decision No. 20227.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of
Southern Pacific Company for an
order authorizing the construc-
tion at grade of side tracks in
and across Parker Street at 4th,
6th and 7th Streets, in the City
of Berkeley, County of Alameda,
State of California.

Application No. 15021.

BY THE COMMISSION:

ORIGINALORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 4th day of September, 1928, asking for authority to construct a drill track and side track at grade across a portion of Parker Street and across Fourth Street and a side track at grade across a portion of Parker Street and across Seventh and Sixth Streets, in the City of Berkeley, County of Alameda, State of California, as hereinafter set forth. The necessary franchises or permits (Resolution No. 15747 N.S. and Resolution No. 16547 N.S.) have been granted by the City Council of said City 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 application with said Fourth, Sixth, Seventh and Parker 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 Southern Pacific Company to construct a drill track and side track at grade across a portion of Parker Street and across Fourth Street and a side track at grade across a portion of Parker Street and across Seventh and Sixth Streets, in the City of Berkeley, County of Alameda, State of California, at the locations hereinafter particularly described and as shown by the map (Western Division Drawing L-63, Sheet 3) attached to the application.

Description of Crossings

TRACK IN PARKER STREET AT FOURTH STREET:

BEGINNING at a point in the southerly line of Parker Street, City of Berkeley, County of Alameda, State of California, said point being two hundred and five and five tenths (205.5) feet more or less easterly from the termination of southerly line of Parker Street with the easterly line of the Southern Pacific Company's right of way; thence in a northeasterly direction on the arc of a curve concave to the right, whose radius is three hundred fifty-eight and three hundred ninety thousandths (358.390) feet a distance of one hundred fifty (150.0) feet more or less to a point; said point being twenty-nine and seventy-five one hundredths (29.75) feet southerly from the northerly line of Parker Street; thence northeasterly and parallel to the northerly line of Parker Street twenty-six and five-tenths (26.5) feet more or less to a point in Parker Street, said point being twenty-nine and seventy-five hundredths (29.75) feet southerly from the northerly line of Parker Street and seventy-one and two-tenths (71.2) feet more or less easterly from the eastern line of Fourth Street, if extended across Parker Street, said description being the center line of a portion of a drill track to be constructed.

SPUR TRACK IN PARKER STREET AT FOURTH STREET:

BEGINNING at a point in the southerly line of Parker Street, City of Berkeley, County of Alameda, State of California, said point being one hundred and sixty-one and five-tenths (161.5) feet more or less easterly from the termination of the southerly line of Parker Street with the easterly line of the Southern Pacific Company's right of way; thence in a northeasterly direction across Parker Street on the arc of a curve concave to the right, whose radius is three hundred eighty-two and two hundred forty-five

thousandths (382.245) feet a distance of ninety-one and seventy-five hundredths (91.75) feet to a point on a compound curve; thence on the arc of a curve concave to the right having a radius of two hundred eighty-six and eight hundred forty-three thousandths (286.843) feet a distance of eighty-three and seventy-five hundredths (83.75) feet to a point, said point being twenty-two (22.0) feet more or less easterly from the easterly line of Fourth Street and ten and eight-tenths (10.8) feet southerly from the northerly line of Parker Street, said description being the center line of a portion of a spur track to be constructed.

The above crossings shall be identified as a portion of Crossing No. A-8.58-C.

DRILL TRACK IN PARKER STREET NEAR
SIXTH AND SEVENTH STREETS:

BEGINNING at a point in the center line of Parker Street, said point being 119 feet more or less easterly from the intersection of said center line of Parker Street and the easterly line of 7th Street; thence in a westerly direction through a standard Southern Pacific No. 7 turnout, said turnout being on the right hand or northerly side of said center line of Parker Street, a distance of 62 feet more or less to the point of frog of said turnout; thence continuing in a westerly direction on a straight line a distance of 81 feet more or less; thence on the arc of a curve concave to the left, tangent to last described course at the last described point, whose radius is 382 feet, a distance of 55 feet more or less; thence continuing in a westerly direction along a line which is 10 feet southerly from and parallel to the northerly line of Parker Street a distance of 220 feet more or less to a point, said point being in the easterly line of 6th Street produced and 10 feet southerly from the northerly line of Parker Street; thence along the arc of a curve concave to the left having a radius of 10,512.73 feet a distance of 72.51 feet to a point of reverse curve; thence along the arc of a curve concave to the right having a radius of 10,512.73 feet a distance of 72.51 feet to a point in the existing track, said point being 65 feet westerly from the westerly line of 6th Street produced and 10.5 feet southerly from the northerly line of Parker Street. Said description being the center line of a proposed track.

The above crossing of a portion of Parker Street and Seventh Street shall be identified as a portion of Crossing No. A-8.76-C, and the crossing of a portion of Parker Street and Sixth Street shall be identified as a portion of Crossing No. A-8.70-C.

Said crossings to be constructed subject to the follow-

ing 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 crossings 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 pavement, and with grades of approach not exceeding one (1) 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) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(4) 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.

(5) 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 17th day of September, 1928.

C. Sawyer

Thos. S. Lovett

M. J. Cunn

Commissioners.