

Decision No. 20363

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of
SOUTHERN PACIFIC COMPANY for an or-
der authorizing the construction at
grade of railroad tracks along and
across Seventh Street near the West-
ern waterfront, in the City of Oakland,
County of Alameda, State of California.)

Application No. 15118.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 11th day of October, 1928, asking for authority to construct tracks at grade along and across Seventh Street in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution 755) has been granted by the Board of Port Commissioners 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 Seventh Street and that this application should be granted subject to the conditions here-

inafter specified, therefore

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company to construct tracks at grade along and across Seventh Street in the City of Oakland, County of Alameda, State of California, at the locations particularly described in the application and as shown by the map (Western Divn. Drawings 0-968 Sheets Nos.1 and 2) attached thereto, all of which is incorporated herein and made a part hereof by reference.

The above crossings shall be identified as Crossing No. A-4.05-C.

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 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 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 two 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 remove the tracks shown in yellow on the map (Western Divn. Drawings 0-968, Sheets Nos. 1 and 2)

attached to the application, insofar as they lie in Seventh Street and shall repair the street to conform to the remainder thereof.

(4) No train, engine, motor or car shall be operated over said crossings unless said train, engine, motor or car shall have been brought to a positive stop and unless traffic on the highway is protected by a member of the train crew or other competent employee acting as flagman.

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

(6) 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.

(7) 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 24th day of October, 1928.

Leon White
Chairman
Thomas J. ...
Commissioners.