

Decision No 20511.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construction
at grade of a railroad track across
an unnamed street in Oakland Yard,
in the City of Oakland, County of
Alameda, State of California.

ORIGINAL

Application No. 15,181.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 5th day of November, 1928, asking for authority to construct an interchange track at grade across an unnamed and unimproved street in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary permit has been granted 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 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 Southern Pacific Company to construct an interchange track at grade across an unnamed and unimproved

street in the City of Oakland, County of Alameda, State of California, at the location hereinafter particularly described and as shown by the map (Western Division Drawing No. O-1033, Sheet No. 1) attached to the application.

DESCRIPTION OF CROSSING

Beginning at the intersection of the northeastern line of the Central Pacific Railway Company's right of way (Oakland-Niles Line) with the northwestern line of an 80 foot strip of land granted to the City of Oakland by the Southern Pacific Company and Central Pacific Railway Company by deed dated January 20, 1911, and recorded August 3, 1911, in Book 1901 of deeds, at page 435, Alameda County Records (said strip of land dedicated by the City of Oakland for street purposes); thence South $72^{\circ}39'48''$ West along the said northwestern street line a distance of 128.645 feet to a point; thence South $78^{\circ}08'$ West a distance of 1065.176 feet to a point; thence South $73^{\circ}21'06''$ West a distance of 500 feet, more or less, to a point, said point being the actual point of beginning of track to be described; thence southwesterly along the arc of a curve concave to the left, having a radius of 458.594 feet an arc distance of 130 feet, more or less, to a point; thence in a straight line tangent to last described curve at last described point a distance of 54 feet, more or less; thence along the arc of a curve concave to the right, having a radius of 458.594 feet, an arc distance of 20 feet, more or less, to a point on the southeastern line of said street.

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 so constructed that grades of approach not exceeding three (3) per cent will be feasible in the event that the construction of roadway along said street shall hereafter be authorized and so that said grade crossing may be made safe for the passage thereover of vehicles and other road traffic.

(3) This order is made upon the express condition that

said street is not now actually constructed and open to travel at the point of crossing, and said order shall not be deemed an authorization for the construction of an opening of said street to public use across said railroad track.

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

(5) 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.

(6) 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 21st day of November, 1928.

C. J. Deane

Ernest W. ...

M. P. ...
Commissioners.