

Decision No. 20657.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of the CITY OF OAKLAND, a municipal
corporation, to construct a railroad
crossing at grade over the tracks of
the Southern Pacific Company on 82nd
Avenue.

ORIGINAL

Application No. 15211.

BY THE COMMISSION:

ORDER

The City Council of the City of Oakland, County of Alameda, State of California, filed the above entitled application with this Commission on the 21st day of November, 1928, asking for authority to construct a public street known as 82nd Avenue at grade across the tracks of Southern Pacific Company, in the said City of Oakland as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the construction of said crossing at grade, and 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 with said tracks at the point mentioned in this application, 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 City Council of the City of Oakland, County of Alameda, State of California, to construct

82nd Avenue at grade across the tracks of Southern Pacific Company at the location hereinafter particularly described and as shown by the map (Exhibit 2) attached to the application.

Description of Crossing

Beginning at a point on the northwestern line of 82nd Avenue, distant thereon northeasterly Four Hundred Eighty feet from the point of intersection thereof with the northeastern line of Olive Street; running thence northeasterly along said line of 82nd Avenue, Sixty-three feet; thence northwesterly parallel with said line of Olive Street, Twenty feet; thence southwesterly parallel with said line of 82nd Avenue, Sixty-three feet; thence southeasterly parallel with said line of Olive Street, Twenty feet to the point of beginning.

The above crossing shall be identified as Crossing No. G-13.47.

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

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than sixty (60) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than three (3) per cent; shall be constructed substantially in accordance with Standard No. 3 as specified in General Order No. 72 of this Commission; shall be protected by a Standard No. 1 and a Standard No. 2 crossing sign as specified in General Order No. 75 of this Commission and shall in every way be made suitable for the passage thereon 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 crossing.

(4) 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.

(5) 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 7th day of January, 1929.

Leon A. Kelly
Chairman

W. S. Leland

M. J. Linn

Commissioners.