

Decision No. 20705.

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
a spur track at grade across Martinez
Street and a portion of Antonio Street,
and a spur track at grade across
Martinez Street, in the City of San
Leandro, County of Alameda, State of
California.

ORIGINAL

Application No. 15318.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 11th day of January, 1929, asking for authority to construct a spur track at grade across Martinez Street and a portion of Antonio Street and a spur track at grade across Martinez Street in the City of San Leandro, County of Alameda, State of California, as hereinafter set forth. The necessary franchises or permits (Ordinances Nos. 389 and 390 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 Martinez and Antonio Streets 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 The Western Pacific Railroad Company to construct a spur track at grade across Martinez Street, a portion of Antonio Street, and a spur track at grade across Martinez Street in the City of San Leandro, County of Alameda, State of California, at the locations hereinafter particularly described and as shown by the map (Exhibit "A") attached to the application.

DESCRIPTION OF CROSSINGS

TRACK "A"

BEGINNING at a point in the northeasterly line of Martinez Street, distant southeasterly thereon 122 feet, more or less, from the southeasterly line of Antonio Street, extended northeasterly, thence southwesterly along a 26° curve, to the left, having a radius of 222.271 feet, a distance of 254.64 feet to a point distant 26.75 feet, measured at a right angle northwesterly from the southeasterly line of said Antonio Street, crossing the southwesterly line of said Martinez Street approximately 12 feet southeasterly from the southeasterly line of said Antonio Street; also crossing the southeasterly line of said Antonio Street approximately 20.5 feet southwesterly from the southwesterly line of said Martinez Street; thence southwesterly 26.75 feet from and parallel with the southeasterly line of said Antonio Street, 176.23 feet to point of termination on the northeasterly line of Alvarado Street.

TRACK "B"

BEGINNING at a point S. 23° E. 164.25 feet and No. 62° E. 80.5 feet from the northeasterly corner of Block 53, Map of the Town of San Leandro; thence on a 26 degree curve to the left to a point S. 23° E. 50 feet from the northeasterly corner of Block 53, Map of the Town of San Leandro.

The crossing of Martinez Street shall be designated as Crossing No. 4-14.61-C and the crossing of Antonio Street shall be designated as Crossing No. 4-14.6-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 superelevation and of a width to conform to those portions of said streets now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding three (3) per cent; shall be protected by a Standard No. 1 crossing sign 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 track shown in red on the map (Exhibit "A") attached to the application, insofar as it lies in Martinez Street, and shall repair the street to conform to the remainder thereof.

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

(5) 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.

(6) 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 21st
day of January 1929.

Thos. L. Lott
A. Seaman
Ernest A. ...
Leon ...
W. J. ...
Commissioners.