

Decision No. 20785.

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 spur track across Stanford Avenue in the Town of Emeryville, County of Alameda, State of California.

ORIGINAL

Application No. 15373.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 4th day of February, 1929, asking for authority to construct a spur track at grade across a portion of Stanford Avenue in the Town of Emeryville, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution 1004) has been granted by the City Council of said Town 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 Stanford Avenue 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 spur track at grade across a portion of Stanford Avenue in the Town

of Emeryville, County of Alameda, State of California, at the location hereinafter particularly described and as shown by the map (East Bay Electric Div. Drawing 4600) attached to the application.

DESCRIPTION OF CROSSING.

Beginning at a point on the northerly boundary line of the Southern Pacific Railroad right of way on Stanford Avenue, distant thereon easterly 85.0 feet, more or less, from the point of intersection of the easterly line of Green Street, projected southerly to said boundary line; thence northerly across the northerly portion of Stanford Avenue, on a curved concave to the left with a radius of 143.42 feet, and an arc distance of 90.0 feet, more or less, to the northerly line of Stanford Avenue; distant thereon easterly 150.0 feet from the easterly line of said Green Street.

The above crossing shall be identified as Crossing No. K-7.23-C.

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 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 avenue now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding one (1) 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 yellow on the map (East Bay Electric Div. Drawing 4600) attached to the

application, in so far as it lies in Stanford Avenue; 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 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 15th day
of February, 1929.

Paul D. Quinn
Chairman
Edward S. ...
Commissioners.