

ORIGINAL

Decision No. 21039.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of  
SOUTHERN PACIFIC COMPANY for an  
order authorizing the construc-  
tion at grade of a spur track  
along Vallejo Street and across  
Battery Street, in the City and  
County of San Francisco, State  
of California.

Application No. 15,393.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 13th day of February, 1929, and filed an amendment to same on the 19th day of April, 1929, asking for authority to construct a spur track at grade along a portion of Vallejo Street and across Battery Street in the City of San Francisco, County of San Francisco, State of California, as hereinafter set forth. The necessary franchise or permit has not as yet been granted, covering the revised location, by the Board of Supervisors of said City and County 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 Battery 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 a spur track at grade along a portion of Vallejo Street and across Battery Street in the City of San Francisco, County of San Francisco, State of California, at the location hereinafter particularly described and as shown by the map (Southern Pacific Company Coast Division Drawing No. 23402) attached to the application.

#### DESCRIPTION OF CROSSING

Commencing at a point in the center line of an existing spur track in Vallejo Street distant westerly approximately 28 feet from the westerly line of Front Street and distant northerly approximately 35 feet from the southerly line of Vallejo Street; thence in a south-westerly direction curving to the right and thence continuing in a westerly direction parallel to and distant northerly at right angles 13.5 feet from the southerly line of Vallejo Street and crossing Battery Street for a distance of 433 feet to end of track.

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. 3, in General Order No. 72 of this Commission and shall be constructed without super-elevation and of a width to conform to those portions of said streets now graded, with the tops of rails flush with the pavement, and with grades of approach for Battery Street 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, within sixty (60) days, submit a certified copy of a franchise or permit from the City and County of San Francisco for the construction of said crossing at grade and in the event that this is not done, the authorization herein granted for the installation of said crossing shall lapse and shall thereupon become null and void and of no further force and effect.

(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 2nd day of May, 1928.

David L. Smith  
C. C. Stearns  
Ernest A. Cook

W. A. Carr  
Commissioners.