

Decision No. 21050.

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 along and
across Pearl Street, In the City
of Alameda, County of Alameda,
State of California.

ORIGINAL

Application No. 15,581.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 1st day of May, 1929, asking for authority to construct a spur track at grade across Pearl Street in the City of Alameda, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the City Council of said City 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 Pearl 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 across Pearl Street in the City of Alameda,

County of Alameda, State of California, at the locations hereinafter particularly described and as shown by the map (East Bay Division Drawing No. 4652) attached to the application.

DESCRIPTION OF CROSSING

"Beginning at a point on the westerly line of Pearl Street, distant thereon northerly 63 feet (plus or minus) from an intersection of the westerly line of Pearl Street with the westerly production of the northerly line of Fernside Boulevard; thence easterly across Pearl Street on a line bearing approximately 50° to the right of the westerly line of Pearl Street a distance of 57 feet (plus or minus) to a point; thence continuing easterly across Pearl Street on a curve concave to the left with a radius of 286.84 feet a distance of 24 feet (plus or minus) to a point on the easterly line of Pearl Street distant thereon 117 feet more or less from the northerly line of Fernside Boulevard and being 81 feet (plus or minus) from the point of beginning.

The above crossing shall be identified as a portion of Crossing No. H-9.41.

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 superelevation and of a width to conform to that portion of said street now graded, with the tops of rails at same elevation as main line rails and flush with the pavement, 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, 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 May, 1929.

Frank S. Leland

W. C. Seawey

Leon Whitely

M. F. Cunn
Commissioners.