

Decision No. 21167

ORIGINAL

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 upon, along and across a portion of Glascock Street and across Peterson Street, in the City of Oakland, County of Alameda, State of California.

Application No. 15647.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 22nd day of May, 1929, asking for authority to construct a spur track at grade across a portion of Glascock Street and across Peterson Street, in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 44383 N.S.) 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 points mentioned in this application with said Glascock and Peterson Streets 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 Glascock Street and across Peterson Street, in the City of Oakland, County of Alameda, State of

California, at the location hereinafter particularly described and as shown by the map (Western Division Drawing No. F-111, Sheet No.1) attached to the application.

Description of Crossing

COMMENCING at a point in the center line of the existing drill track of the Southern Pacific Railroad Company in Glascock Street; said point being 55 feet more or less northwesterly from the northwesterly line of Peterson Street and 30 feet more or less southwesterly from the northeasterly line of said Glascock Street; thence southeasterly through a standard No. 7 left-hand turnout a distance of 62.6 feet more or less to a point; thence continuing southeasterly in a straight line a distance of 74.8 feet more or less to a point; thence along the arc of a curve concave to the right and having a radius of 458.594 feet a distance of 65.4 feet more or less to a point, said curve being tangent to the last described course at the point of curve; thence southeasterly tangent to said curve and parallel to said northeasterly line of Glascock Street and 10 feet southwesterly measured at right angles therefrom a distance of 48.2 feet more or less to the end of the proposed spur.

The above crossing shall be identified as a portion of Crossing No. D-10.3-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 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 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 28th day of May, 1929.

David L. Latta

C. J. Sawyer

Leon A. Whitehall

Commissioners.