

Decision No. 21390

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of application of Southern Pacific Company for an order authorizing the construction at grade of a spur track along and across a portion of 38th Avenue, in the City of Oakland, County of Alameda, State of California.

Application No. 15737.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Southern Pacific Company, applicant herein, having on July 15th, 1929, filed with the Commission its request for a modification of Decision No. 21307, dated June 28th, 1929, in the above entitled proceeding, and it appearing that this is not a matter in which a public hearing is necessary and that said request should be granted, therefore,

IT IS HEREBY ORDERED that Condition (2) of said Decision No. 21307, reading as follows:

"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 that portion of said street 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";

be and the same is hereby modified to read as follows:

(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 and in the manner shown by the map (Western Division Drawing S-575, Sheet No. 1, dated March, 1929). Exemption is hereby granted from the provisions of Section V (a) of General Order No. 75.

In all other respects this Commission's order heretofore entered in the above entitled proceeding shall remain in full force and effect.

Dated at San Francisco, California, this 24th day of July, 1929.

O. C. Kearney

Leon Whitely

M. J. Curran

Commissioners.