

ORIGINALDecision No. 21566.

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 main track and a sid-
ing across Carter Street, and a
main track across Wells Avenue, in
the unincorporated town of Newark,
County of Alameda, State of
California.

Application No. 15,667.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 29th day of May, 1929, asking for authority to construct a main line and a siding track at grade across Carter Street and a main line track at grade across Wells Avenue in the Town of Newark, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 22,886) has been granted by the Board of Supervisors of said County for the construction of said crossings at grade.

An investigation of the proposed crossings shows Wells Avenue to be closed to traffic immediately north of the Southern Pacific Company's right of way. Consequently it was suggested that this street be also closed across the railway right of way. Southern Pacific Company in a letter of September 4, 1929, state that a petition to close Wells Avenue has been prepared and will be presented to the Board of Supervisors and asked that in the meantime the Commission act upon the application in so far as it refers to Carter Avenue.

It appears to this Commission that the present proceeding in so far as it refers to Carter Avenue 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 Carter Avenue and that this application in so far as it refers to Carter Avenue should be granted subject to the conditions hereinafter specified, Authority for the construction of the crossing of Wells Avenue will be handled by subsequent order.

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company to construct a main line and a siding track at grade across Carter Avenue in the Town of Newark, County of Alameda, State of California, at the location hereinafter particularly described and as shown by the map (Western Division Drawing N-193 Sheet No. 2) attached to the application.

DESCRIPTION OF CROSSING

CENTERLINE DESCRIPTION FOR PROPOSED RELOCATION OF MAIN LINE CROSSING TRAVELED WAY IN CARTER ST. (C.R.C.#L-30.6)

COMMENCING at a point where the southerly line of Sycamore Street intersects the easterly line of Carter Street; thence southerly along the easterly line of said Carter Street a distance of 620.50 feet, more or less, to a point on a curve; thence westerly on the arc of a curve concave to the left having a radius of 636.78 feet an arc distance of 20 feet, more or less, to a point on the easterly edge of the traveled way in Carter Street, said point being the actual point of beginning; thence continuing westerly along the above mentioned curve a distance of 31.5 feet, more or less, to a point on the most westerly edge of said traveled way.

CENTERLINE DESCRIPTION FOR PROPOSED RELOCATION OF SIDING CROSSING TRAVELED WAY IN CARTER ST. (C.R.C.#L-30.6)

Commencing at a point where the southerly line of Sycamore Street intersects the easterly line of Carter Street; thence southerly along the easterly line of said Carter Street a distance of 638.50 feet, more or less, to a point on a curve; thence westerly on the arc of a curve concave to the left having a radius of 573.14 feet an arc distance of 20 feet, more or less, to a point on the easterly edge of the traveled way in Carter Street, said point being the actual point of beginning; thence continuing westerly along the above mentioned curve a distance of 31.5 feet, more or less, to a point on the most westerly edge of said traveled way.

The above crossing shall be identified as a portion of Crossing No. L-30.6.

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 that portion of said avenue 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 two Standard No. 3 wigwags as specified in General Order No. 75 of this Commission or two flashing lights of a type approved by the Commission. Said wigwags or flashing lights shall be controlled in a manner so as to display a warning aspect in advance of and during the passage of all trains over the crossing of Carter Avenue and in such a manner as to avoid, in so far as practicable, all unnecessary or false warning.

(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 18th day of September, 1929.

Thomas G. Latta

Edmund A. ...

Leon Whitall

M. A. ...
Commissioners.