

Decision No. 21682

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
The Atchison, Topeka and Santa Fe
Railway Company, a corporation, for
authority to construct, maintain and
operate a spur track over and across
Minnesota Street, in the City and
County of San Francisco, State of
California.

ORIGINAL

Application No. 15942.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 10th day of September, 1929, asking for authority to construct a spur track at grade across Minnesota Street, in the City and County of San Francisco, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 8497) has been granted 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 Minnesota 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 The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across Minnesota Street, in the City and County of San Francisco, State of

California, at the location hereinafter particularly described and as shown by the map (Division Engineer's Drawing No. T-4-489) attached to the application.

Description of Crossing

Beginning at a point in the center line of an existing track of The A.T. & S.F. Ry. Co., said point lying 48.93 feet westerly from the western line of Minnesota Street, and 48.63 feet southerly from the southern line of Twentieth Street; thence northeasterly on a curve concave to the southeast having a radius of 1297.58 feet a distance of 43.60 feet; thence northeasterly on a curve concave to the southeast having a radius of 235.65 feet, a distance of 10.95 feet to a point on said western line of Minnesota Street, said point lying 25.00 feet southerly from the said southern line of Twentieth Street, measured on and along said western line of Minnesota Street; thence continuing northeasterly on last mentioned curve, over and across said Minnesota Street a distance of 81.02 feet to a point on the eastern line of said Minnesota Street, said point lying 11.00 feet southerly from said southern line of Twentieth Street as measured on and along said eastern line of Minnesota Street; thence easterly across private property, parallel with and distant 11.00 feet southerly from the southern line of Twentieth Street, a distance of 190.00 feet to end.

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 substantially in accordance with Standard No. 4, in General Order No. 72 of this Commission, and shall be constructed without super-elevation and 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 conforming, as far as practicable, with the established street grades, 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) No train, engine, motor or car shall be operated over said crossing unless said train, engine, motor or car shall be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

(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 25th day of September, 1929.

Thomas G. Lott

W. C. Lacey

Leon Whitehead

W. J. Linn

Commissioners.