

ORIGINAL

Decision No. 21729.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of THE WESTERN PACIFIC RAILROAD
COMPANY for permission to construct,
operate and maintain certain tracks
at grade in the vicinity of 25th and
Illinois Streets in the City and
County of San Francisco, State of
California.

Application No. 15996.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 8th day of October, 1929, asking for authority to construct its tracks at grade across certain streets in the vicinity of 25th and Illinois Street, in the City and County of San Francisco, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 8534) 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 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 The Western Pacific Railroad Company

to construct its tracks at grade across Maryland, Louisiana, Georgia, Michigan, Illinois, 25th, 26th and Army Streets in the City and County of San Francisco, State of California, at the locations particularly described in the application and as shown by the map (Exhibit "A") attached to said application.

Said crossings to be constructed subject to the following conditions, and not otherwise:

(1) The entire expense of constructing the crossings together with the cost of their maintenance thereafter in good and firstclass condition shall be borne by applicant.

(2) Said crossing shall be so constructed that grades of approach conforming with the official street grades will be feasible in the event that the construction of a roadway along said streets shall hereafter be authorized and so that said grade crossings may be made safe for the passage thereover of vehicles and other road traffic.

(3) This order is made upon the express condition that said streets are not now actually constructed and open to travel at the respective points of crossing, and said order shall not be deemed an authorization for the construction of an opening of said streets to public use across said railroad tracks.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(5) If said crossings 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 crossings 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 2nd day of October, 1929.

David S. Lantis

Ch. Jensen

Ernest B. Ditt

Leon O'Whelan

M. J. Carr

Commissioners.