

Decision No. 21883.

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 railroad tracks to be operated by Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company along and across Campbell Street, in the City of Oakland, County of Alameda, State of California.

ORIGINAL

Application No. 16101

BY THE COMMISSION:

O R D E R

SOUTHERN PACIFIC COMPANY, a corporation, filed the above entitled application with this Commission on the 20th day of November, 1929, asking for authority to construct a drill track and two spur tracks at grade across Campbell Street in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 45606 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 point mentioned in this application with said Campbell 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 Southern Pacific Company to construct a drill track and two spur tracks at grade across Campbell Street in the City of Oakland, County of Alameda, State of California,

at the location shown by the map (Western Divn. Drawing O.1122 Sheet No. 1) attached to the application and as more particularly described in the resolution of the Oakland City Council (Resolution No. 45606 N.S.) attached to the application, which descriptions by reference herein, are made a part hereof.

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 so constructed that grades of approach not exceeding one (1) per cent will be feasible in the event that the construction of roadway along said Campbell Street shall hereafter be authorized and so that said grade crossing may be made safe for the passage thereover of vehicles and other road traffic.

(3) This order is made upon the express condition that Campbell Street is not now actually constructed and open to travel at the respective point of crossing, and said order shall not be deemed an authorization for the construction of an opening of said street 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 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 7th day of December, 1929.

John D. H. [Signature]

C. L. [Signature]

Leon [Signature]

Commissioners.