

Decision No. 22102.

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 spur track across a portion of First Street and across Webster Street, in the City of Oakland, County of Alameda, State of California.

Application No. 16340.

ORIGINAL

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 1st day of March, 1930, asking for authority to construct a spur track at grade across a portion of First Street and across Webster Street in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permits (Ordinances Nos. 312 and 325 and Resolution No. 46098 N.S.) have 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 First and Webster 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 Southern Pacific Company to construct

a spur track at grade across a portion of First Street and across Webster Street in the City of Oakland, County of Alameda, State of California, at the location hereinafter particularly described and as shown by the map (Western Division Drawing No. 0-1092, Sheet No. 1 revised) attached to the application.

DESCRIPTION OF CROSSING

WEBSTER STREET: Beginning at the intersection of the southern line of First Street, with the eastern line of Webster Street, thence southerly along the said eastern line of Webster Street, a distance of 2.8 feet, more or less, to the true point of beginning. Thence westerly a distance of 26.5 feet, more or less, to a point; thence on the arc of a curve concave to the right having a radius of 382.245 feet, an arc distance of 54.5 feet, more or less, to a point on the western line of Webster Street, said point being distant 29.5 feet, more or less, southerly from the southern line of First Street.

FIRST STREET: Beginning at the intersection of the northern line of First Street with the western line of Harrison Street, thence southwesterly along the said western line of Harrison Street, produced a distance of 63.0 feet, more or less, to the true point of beginning of this description. Thence westerly through a Standard No. 7 turnout to the left a distance of 282.8 feet, more or less, to the southern line of First St., said point being distant 280.2 feet, more or less, westerly from the said western line of Harrison Street produced.

The above crossing shall be identified as a portion of Crossing No. D-6.8.

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. 3, in General Order No. 72 of this Commission and shall be constructed without super-elevation and of a width to conform to those portions of said streets 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.

(3) Applicant shall remove the track shown in yellow on the map (Western Division Drawing No. O-1092, Sheet No. 1 revised) attached to the application, in so far as it lies in said streets, and shall repair the street to conform to the remainder thereof.

(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 12<sup>th</sup> day of March, 1930.

Clarence

Leon Whisell  
Thos J. Carter

M. J. Amis  
Commissioners.