

ORIGINAL

Decision No. 22316.

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, maintain
 and operate a spur track at grade
 across and along "C" Street in the
 City of Hayward, County of Alameda,
 State of California.

Application No. 16382.

BY THE COMMISSION:

O R D E R

The Western Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 22nd day of March, 1930, asking for authority to construct a spur track at grade across and along "C" Street and across Grand Street in the City of Hayward, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 258 N.S.) has been granted by the City Council of said city for the construction of said crossings 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 grade separations or to avoid grade crossings at the points mentioned in this application with said "C" Street and Grand 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 Western Pacific Railroad Company to construct a spur track at grade across and along "C" Street and across Grand Street in the City of Hayward, County of Alameda, State of California, at the locations hereinafter particularly described and as shown by the map (Exhibit "A", C.E. 2658) attached to the application.

DESCRIPTION OF CROSSINGS

BEGINNING at a point in the center line of the passing track of Western Pacific Railroad Company, distant southerly thereon approximately 215 feet from the southerly line of "C" Street; thence northwesterly along a turnout to the left a distance of approximately 110 feet; thence along a curve to the left having a radius of 973.686 feet, a distance of approximately 80 feet; thence westerly along a curve to the left having a radius of 287.939 feet a distance of approximately 260 feet to a point distant 10 feet, measured at a right angle southerly from the northerly line of said "C" Street; crossing the southerly line of said "C" Street at a point distant westerly thereon approximately 70 feet from the center line of the main track of The Western Pacific Railroad Company; thence southerly 10 feet southerly from and parallel with the northerly line of said "C" Street, a distance of approximately 422 feet to end of spur; crossing the westerly and easterly lines of Grand Street extended southerly 10 feet southerly from said northerly line of "C" Street.

The above crossing of "C" Street shall be identified as a portion of Crossing No. 4-20.4.

The above crossing of Grand Street shall be identified as Crossing No. 4-20.51-C.

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 first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings 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 those portions of said streets now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding three (3) per cent; shall be protected by Standard No. 1 crossing signs 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 red on the map (Exhibit "A" C.E. 2658) attached to the application, in so far as it lies in "C" and Grand 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 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 11th day of April, 1930.

C. L. Shaver

Thomas J. Leland

All of them

Commissioners.