

Decision No. 22376

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the construction at grade of a spur track in "R" Street and across Fourth Street, in the City of Sacramento, County of Sacramento, State of California.

Application No. 16474.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 18th day of April, 1930, asking for authority to construct a spur track at grade across Fourth Street in the City of Sacramento, County of Sacramento, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 36) 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 Fourth 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 spur track at grade across Fourth Street in the City of

Sacramento, County of Sacramento, State of California, at the location hereinafter particularly described and as shown by the map (Sacramento Div'n. Drawing S-556) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the centerline of the existing main track in R Street, said point being 131 feet more or less Westerly from the West line of 4th Street; thence from said point of beginning through a No. 7 turnout to the right which turnout has an angle of $8^{\circ} 10'$ with the main track, a distance of 95 feet more or less to a point; thence on an arc of a curve concave to the right (radius of 477.68 feet) a distance of 36 feet more or less to the West line of 4th Street; thence on an arc of a curve concave to the left (radius of 477.68 feet) across 4th Street, a distance of 82 feet, more or less, to the East line of 4th Street.

The above crossing shall be identified as a portion of Crossing No. AE-89.9.

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. 2, in General Order No. 72 of this Commission and shall be constructed 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 not exceeding six (6) 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, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) 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.

(5) 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 28th day of April, 1930.

C. L. Seaver

Leon Whiteley
Thos. B. Lewis

W. J. Carr

Commissioners.