

Decision No. 22381.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of
 SOUTHERN PACIFIC COMPANY and THE
 WESTERN PACIFIC RAILROAD COMPANY
 for an order authorizing construc-
 tion at grade of three (3) track
 crossings near Melrose Station, in
 the City of Oakland, County of
 Alameda, State of California.

ORIGINAL

Application No. 16462.

BY THE COMMISSION:

O R D E R

Southern Pacific Company and The Western Pacific Rail-
 road Company, corporations, filed the above entitled application
 with this Commission on the 15th day of April, 1930, asking for
 authority to construct three track crossings at grade near Southern
 Pacific Company's Melrose Station, in the City of Oakland, County
 of Alameda, State of California, as hereinafter set forth. It ap-
 pears to this Commission that this is not a matter 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 the said tracks
 and that this application should be granted, subject to the condi-
 tions hereinafter specified; therefore,

IT IS HEREBY ORDERED that permission and authority be and
 it is hereby granted to Southern Pacific Company and The Western
 Pacific Railroad Company to construct the three track crossings at
 grade near Melrose Station in the City of Oakland, County of Alameda,
 State of California, at the locations particularly described in the
 application and by reference herein made a part hereof, and as shown
 by the map (Western Divn. Dwg. M 203) attached to the application.

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

(1) The entire expense of constructing the crossings, together with their maintenance thereafter in good and first-class condition for safe and convenient railway use, shall be borne in accordance with an agreement, to be approved by this Commission, a certified copy of which shall be filed with this Commission within ninety (90) days after the date of this order. If said agreement is not filed within the above number of days and further time is not granted by subsequent order, the Commission will apportion said costs by supplemental order herein.

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

(3) 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.

(4) 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 29th day of April, 1930.

P. S. Seamy
Leon Seamy
Wm. D. Seamy