

Decision No. 22527.

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 construction at grade of a track crossing near Kohler Station in the City of Oakland, County of Alameda, State of California.

Application No. 16585.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company and The Western Pacific Railroad Company filed the above entitled application with this Commission on the 2nd day of June, 1930, asking for authority to construct a spur track crossing at grade near Southern Pacific Company's station of Kohler, in the City of Oakland, County of Alameda, State of California, as hereinafter set forth. It appears to the 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 a grade separation or to avoid a grade crossing at the point mentioned in this application; and, that the 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 Southern Pacific Company and The Western Pacific Railroad Company to construct a spur track crossing at grade near Southern Pacific Company's station of Kohler, in the

City of Oakland, County of Alameda, State of California, at the location particularly described and as shown by the map (Western Division Drawing K-15, Sheet 2 Rev.) attached to the application.

DESCRIPTION OF CROSSING.

BEGINNING at a point on the center line of a track known as the Cluff Drill track, being distant thereon 878 feet, more or less, northerly from the beginning of said Cluff Drill; thence southerly through a standard number 7 turnout a distance of 94 feet, more or less, to a point, said point being on the center line intersection of the proposed track crossing whose tangents intersect at an angle of  $15^{\circ}35'14''$ .

Said crossing to be constructed subject to the following conditions:

(1) The entire expense of constructing the crossing together with its maintenance thereafter in good and first-class condition for safe and convenient railway use shall be borne by applicants 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 from 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 cost by supplemental order herein.

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

(3) 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 this Commission.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 12<sup>th</sup> day of June, 1930.

Al. Deane  
Frank A. ...  
Leon Whitehill  
Paul ...

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Commissioners.