

Decision No. 22561**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SOUTHERN PACIFIC COMPANY for an order
authorizing the construction at grade
of a spur track across a portion of
Twelfth Street and across Bernice
Street in the City and County of San
Francisco, State of California.

Application No. 16618.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the eleventh day of June, 1960, asking for authority to construct a spur track at grade across a portion of Twelfth Street and across Bernice Street in the City and County of San Francisco, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 8761) has been granted by the Board of Supervisors of said City and County 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 Twelfth and Bernice 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 Twelfth Street and across Bernice Street in the City and County of San Francisco, State of California, at the location hereinafter particularly described and as shown by the map (Coast Division Drawing 24236) attached to the application.

DESCRIPTION OF CROSSINGS

BEGINNING at a point on the center line of the existing Municipal track, formerly known as the Ocean Shore Railway, in Twelfth Street, distant southeasterly thereon 27 feet more or less from the southeasterly line of Isis Street produced northeasterly, thence in a southerly direction through a switch turnout to the right and crossing the intersection of Twelfth and Bernice Streets to a point in Twelfth Street distant northeasterly at right angles 10 feet from the westerly line of Twelfth Street and distant southerly 75 feet from the southeasterly line of Bernice Street.

The above crossings shall be identified as a portion of Crossing No. EM 1.34-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 substantially in accordance with Standard No. 4 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 two (2) per cent; shall be pro-

tected 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 crossings.

(4) 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.

(5) 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 27th day
of June, 1930.

Cl. Leaver
Ernest D. ...
Leon Wheeler
Paul D. ...

Commissioners.