

Decision No. 22812.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
TOWN OF EMERYVILLE for permission to
alter crossing of Southern Pacific
Company Main-Line Railroad Right of Way
by Powell Street, in Emeryville.

Application No. 16574.

ORIGINAL

BY THE COMMISSION:

ORDER

The Board of Trustees of the Town of Emeryville, County of Alameda, State of California, filed the above entitled application with this Commission on the 26th day of May, 1930, asking for authority to widen and improve a public street known as Powell Street at grade across the tracks of Southern Pacific Company, in the said Town of Emeryville as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the widening and improvement of said crossing at grade, and 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 with said tracks at the point mentioned in this application, 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 Board of Trustees of the

Town of Emeryville, County of Alameda, State of California,
to widen and improve Powell Street at grade across the tracks
of Southern Pacific Company at the location shown by the map
(Western Div. Drawing E-287) attached to the application, and
identified in the Commission's records as Crossing No. A-7.2.

Said crossing shall be improved and widened subject
to the following conditions:

(1) The cost of widening, improving and maintaining
the crossing outside of lines two (2) feet outside of the outside
rails shall be borne by applicant. The cost of widening, improving
and maintaining that portion of said crossing between lines two
(2) feet outside of the outside rails shall be borne by Southern
Pacific Company.

(2) The crossing shall be constructed of a width not
less than forty-eight (48) feet and at an angle of ninety (90)
degrees to the railroad and with grades of approach not greater
than three (3) per cent; shall be constructed substantially in
accordance with Standard No. 3 as specified in General Order No.
72 of this Commission, and shall in every way be made suitable for
the passage thereon of vehicles and other road traffic.

(3) The crossing shall be protected by two Standard
No. 3 wigwags each equipped with second train indicators. The
expense of installing and maintaining said protective device
shall be borne by Southern Pacific Company.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the widening of said crossing.

(5) If said crossing shall not have been widened 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 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 12th day of July, 1930.

Frank J. ...
Leon ...
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Commissioners.