

Decision No. 22677.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

<p>In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the construction at grade of industrial switching track across Webster Street, in the City of Oakland, County of Alameda, State of California.</p>
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Application No. 16702.

**ORIGINAL**

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 2nd day of July, 1930, asking for authority to construct a spur track at grade across Webster Street in the City of Oakland, County of Alameda, State of California, as hereinafter set forth.

Applicant alleges it has the right to construct, maintain and operate railroad tracks in said First Street under the provisions of Ordinances Nos. 325 and 312 in the City of Oakland, and by Deeds dated October 6, 1869 and January 12, 1912, certified copies of which were filed with this Commission in Application No. 8784. 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 Webster 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 Webster Street in the City of Oakland, County of Alameda, State of California, at the location hereinafter particularly described and as shown by the map (Western Div'n. Drawing O-1187 - Sheet No. 1 Rev.) attached to the application.

The above crossing shall be identified as a portion of Crossing No. D-6.8.

Said crossing shall 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. 3, 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 at same elevation as main line rails and flush with the pavement, and with grades of approach not exceeding one (1) 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 remove the tracks shown in yellow on the map attached to the application and shall repair the street to conform to the remainder thereof.

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

