

Decision No. 22787.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of the City of Oakland, a municipi-
pal corporation, to widen a cross-
ing at grade across the tracks of
the South Pacific Coast Railway
Company (Southern Pacific Company)
on Hegenberger Road.

Application No. 16571.

ORIGINAL

BY THE COMMISSION:

ORDER

The Board of Port Commissioners of the City of Oakland, County of Alameda, State of California, filed the above entitled application with this Commission on the 23rd day of May, 1930, asking for authority to widen the crossing at grade across a track of South Pacific Coast Railway Company and operated by Southern Pacific Company on Hegenberger Road as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the widening 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 track 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 City of Oakland, County of Alameda, State of California, to widen Hegenberger Road at grade across the track of South Pacific Coast Railway Company and operated over by Southern Pacific Company at the location as shown by the map (Exhibits 1 and 2) attached to the application.

Said crossing shall be widened subject to the following conditions and not otherwise:

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

(2) The crossing shall be widened to a width and at an angle to the railroad as shown on Exhibit "2" attached to the application and with grades of approach not greater than four (4) per cent; shall be protected by two Standard No. 1 crossing signs, as specified in General Order No. 75 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 constructed substantially in accordance with Standard No. 2, as specified in General Order No. 72 of this Commission provided, however, that when said crossing is reconstructed it shall be constructed substantially in accordance with Standard No. 3, as specified in said General

Order No. 72, at the sole expense of applicant.

(4) No train, engine, motor or car shall be operated over said crossing unless said train, engine, motor or car shall be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

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

(6) 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 subsequent order.

(7) 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 13th day of August, 1930.

Edmund G. ...
Leon Whitley
...

Commissioners.