

ORIGINAL

Decision No. 22028.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of }
 SOUTHERN PACIFIC COMPANY for an }
 order authorizing the construc- }
 tion at grade of a drill track }
 across Newhall Street and along }
 and across portions of Carroll }
 Avenue, Shoup Avenue and Mendell }
 Street and a spur track across }
 Newhall Street, in the City and }
 County of San Francisco, State }
 of California. }

Application No. 16976.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 28th day of October, 1950, asking for authority to construct its tracks at grade across portions of Carroll Avenue, Shoup Avenue and Mendell Street and across Newhall Street in the City and County of San Francisco, State of California, as hereinafter set forth. The necessary franchise or permit has not been granted by the Board of Supervisors of said City and County for the construction of said crossings at grade but applicant has made application for such permit. 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 Streets and Avenues 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 its tracks at grade across portions of Carroll Avenue, Shoup Avenue and Mendell Street and across Newhall Street in the City and County of San Francisco, State of California, at the locations particularly described in Bill No. 9367, passed for printing by the Board of Supervisors of the City and County of San Francisco and as shown by the map attached to the application.

The above crossing of Newhall Street shall be identified as Crossing No. E-4.41-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 shall be borne by applicant.
- (2) Said crossing of Newhall Street 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 without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding three (3) 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) This order is made upon the express condition that Carroll Avenue, Shoup Avenue and Mendell Street are not now actually constructed and open to travel at the respective points of crossing and this order shall not be deemed an authorization for the construction of an opening of said streets to public use across said tracks. Said tracks shall be so constructed that grades of approach conforming as nearly as practicable with the official grades of said streets will be feasible in the event that the construction of an opening of Carroll Avenue, Shoup Avenue and Mendell Street across said tracks shall hereafter be authorized and so that said grade crossings may be made safe for the passage thereover of vehicles and other road traffic.

