

ORIGINAL

Decision No. 23378

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, for authority to construct a spur track from the westerly side of Kearny Street from approximately the northerly line of Bay Street to a point ten feet southerly from the northerly line of Francisco Street, and to relocate the existing spur on Kearny Street, in the City and County of San Francisco, State of California.

) Application No. 17178.

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on February 4, 1931, applied for authority to construct a spur track at grade across portions of Bay, Kearny and Francisco Streets and relocate a track at grade across Francisco Street, in the City and County of San Francisco, State of California. The necessary franchise or permit (Ordinance 8923 N.S.) has been granted by the Board of Supervisors of said City and County for the construction of said crossings at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings at the points mentioned and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct a spur track

at grade across portions of Bay, Kearny and Francisco Streets and to relocate a track at grade across Francisco Street, in the City and County of San Francisco, State of California, at the locations more particularly described in the application and as shown by the map (T-8-25) attached thereto, subject to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining the crossings in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (2) Said crossings shall be constructed equal or superior to type shown as Standard No. 2, in our General Order No. 72, and shall be constructed without superelevation 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 four (4) per cent, and shall be protected by Standard No. 1 crossing signs as specified in our General Order No. 75.
- (3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings and of its compliance with the conditions hereof.
- (4) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof 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, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 9th day of February, 1931.

Cl. Linn
Leon White
W. A. Linn
M. B. Linn
J. G. Linn
Commissioners.