

Decision No. 23914.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of Southern Pacific Company for an order authorizing the construction at grade of spur tracks across Fernside Boulevard, Versailles Avenue and Pearl Street, in the City of Alameda, County of Alameda, State of California.

Application No. 17547.

ORIGINAL

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, on July 21st, 1931, applied for authority to construct spur tracks at grade across Fernside Boulevard, Versailles Avenue and Pearl Street, in the City of Alameda, County of Alameda, State of California. The necessary franchise or permit (Resolution No. 1622, dated July 21st, 1931), has been granted by the City Council of said city 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 Southern Pacific Company is hereby authorized to construct a spur track at grade across the intersection of Versailles Avenue and Fernside Boulevard, a spur track at grade across Versailles Avenue and a track at grade across a portion of Pearl Street, in the City of Alameda, County

of Alameda, State of California, at the locations more particularly described in the application and as shown by the map (Western Division Drawing No. A-270, Sheet No. 1), attached thereto, subject to the following conditions:

- (1) The above crossings shall be identified as follows:

Versailles Avenue and Fernside Street-Crossing
No. MA-11.06.
Pearl Street, Crossing No. H-9.41.
Versailles Street, Crossing No. H-9.52-C.

- (2) 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.
- (3) Said crossings shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, and shall be constructed 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 two (2) per cent, and shall be protected by Standard No. 1 crossing signs, as specified in our General Order No. 75.
- (4) No train, engine, motor or car shall be operated over said crossing of Versailles Avenue (Crossing No. H-9.52-C), unless said train, engine, motor or car shall be first brought to a stop and traffic on the highway 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 crossings and of its compliance with the conditions hereof.
- (6) 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.
- (7) 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 24th day of July, 1931.

C. Sweeney

M. B. Harris

Fred G. Stetsko

Commissioners.