

Decision No. 24023.

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 a spur track across a portion of First Street and operation of a spur track in and along Webster Street, to be constructed by the Port of Oakland, in the City of Oakland, County of Alameda, State of California.

Application No. 17642.

**ORIGINAL**

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, on September 2, 1931, applied for authority to construct a spur track at grade across a portion of First Street and operate along a spur track crossing Webster Street, to be constructed by the Port of Oakland, in the City of Oakland, County of Alameda, State of California. The necessary franchise or permit (Resolution No. 2204) has been granted by the Board of Port Commissioners 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 a portion of First Street and to operate over a spur track across Webster Street, to be constructed by the Port of Oakland, in the City of Oakland, County of Alameda, State of California, at the locations more particularly described in the application and as shown by the maps (Western Division Drawing No. 0-869, Sheet 2 Rev.) attached thereto, subject to the following conditions:

- (1) The above crossing of Webster Street shall be identified as a portion of Crossing No. D-6.8.
- (2) The entire expense of constructing and thereafter maintaining the crossing of Webster Street in good and first-class condition for safe and convenient use of the public shall be borne by applicant.
- (3) Said crossing of Webster Street shall be constructed equal or superior to the type shown as Standard No. 3 in our General Order No. 72 and shall be constructed of a width to conform to portion of said street 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 a Standard No. 1 crossing sign, as specified in our General Order No. 75.
- (4) The entire expense of constructing and maintaining the crossing of First Street shall be borne by applicant.
- (5) This order is made upon the express condition that First Street is not now actually constructed and open to travel at the point of crossing and this order shall not be deemed an authorization for the construction of an opening of said street to public use across said spur track. Said track shall be so constructed that grades of approach not exceeding two (2) per cent will be feasible in the event that the construction of an opening of First Street across said spur track shall hereafter be

authorized and so that said grade crossing may be made safe for the passage thereover of vehicles and other road traffic.

- (6) 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.
- (7) 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.
- (8) 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 8th day of September, 1931.

C. Deane

W. J. An

W. B. Harris

Fred G. Peterson  
Commissioners.