

Decision No. 10288

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application  
of A.P. Heise for an order authoriz-  
ing the construction of a spur track  
at grade across southwesterly side of  
Embarcadero, across Steuart Street  
and crossing tracks of Market Street  
Railway in Howard Street, in the City  
and County of San Francisco, State of  
California.

ORIGINAL

Application 7842.

BY THE COMMISSION:

O R D E R

A. P. Heise having on May 12, 1922, filed with the Commission an application for permission to construct a spur track at grade across Steuart Street, Howard Street, and the Embarcadero, and across the tracks of Market Street Railway, a corporation, hereinafter referred to as Railways in said Howard Street in the City and County of San Francisco, California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the Board of Supervisors of said City and County of San Francisco for the construction of said street crossings at grade and that said Railways has, in writing, consented to the construction of said crossing at grade over its tracks subject to the provisions of a certain agreement dated May 15, 1922, between applicant and said Railways and on file with the Commission, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said streets or Railways, and that this application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED, that permission be and it is hereby granted A.P. Heise to construct a spur track at grade across Steuart Street, Howard Street, and the Embarcadero, and across the tracks of said Railways in said Howard Street in the City and County of San Francisco, the center line of said spur track being described as follows:

Commencing at a point in the track of the Belt Railroad on the Embarcadero sixty (60) feet more or less southerly from the southerly line of Howard Street; thence on a curve to the west to a point twenty (20) feet more or less southerly from the northerly line of Howard Street and sixty (60) feet more or less westerly from the westerly line of Embarcadero; thence westerly and parallel to the northerly line of Howard Street, and crossing Steuart Street, two hundred and fifty (250) feet more or less,

all of the above as shown by the map attached to the application; said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the street crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of aforesaid streets now graded; shall be protected by suitable crossing signs and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) The entire expense of constructing said crossing of said Railways, together with the cost of its maintenance thereafter in good and first-class condition shall be borne by applicant.

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

(5) The authorization herein granted for the installation

of said crossings shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(6) 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, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 22<sup>d</sup> day of May, 1922.

H. B. Brundage

Irving Martin

J. F. Brundage  
Commissioners.