

Decision No. 11327

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of )  
Western Pacific Railway Company for )  
permission to construct a spur track )  
at grade across "A" Street in the )  
City of Hayward, County of Alameda, )  
State of California. )

ORIGINAL

Application No. 8481.

BY THE COMMISSION:

O R D E R

Western Pacific Railway Company, a corporation, having on December 8, 1922, filed with the Commission an application for permission to construct a spur track at grade across "A" Street in the City of Hayward, County of Alameda, State of 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 (Ordinance No. 84 N.S. and Ordinance No. 194 N.S.) has been granted by the Board of Trustees of said City of Hayward for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said "A" Street, 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 Western Pacific Railway Company to construct a spur track at grade across "A" Street in the City of Hayward, County of Alameda, State of California, described as follows:

BEGINNING at the point of switch in the center line of The Western Pacific Railroad Company's main line of railroad from San Francisco, California, to Salt Lake City, Utah, said point being approximately 100 feet from the northwesterly line of "A" Street in the Town of Hayward, County of Alameda, State of California; thence diverging to the right and extending approximately 485 feet in a southeasterly direction paralleling said main line about 31.5 feet southwesterly therefrom, and terminating near the northwesterly line of "B" Street in Lot 8 of Block 102 in the said Town of Hayward, California, and crossing "A" Street approximately 130 feet northeasterly of Grand Street.

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

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

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of "A" Street now graded, with grades of approach not exceeding four (4) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

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

(4) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order 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 crossing 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 December, 1922.

H. W. Brundage  
David Martin

J. F. Benedict

Commissioners.