

Decision No. 11576

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the matter of the application of
The Western Pacific Railroad Company
for permission to construct a spur track
at grade across Brannan Street and across
two tracks of Market Street Railway Com-
pany in said street, in the City and County
of San Francisco, State of California.

APPLICATION No. 8495

BY THE COMMISSION:

O R D E R

The Western Pacific Railroad Company, a corporation, having on December 13, 1922, filed with the Commission an application for permission to construct a spur track at grade across Brannan Street and across two tracks of Market Street Railway Company in said street, in the City and County of San Francisco, 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 (No. 5716) has been granted by the Board of Supervisors of said City and County of San Francisco for the construction of said crossing at grade; that Market Street Railway Company has consented in writing to said crossing of its tracks and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Brannan 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 The Western Pacific Railroad Company to construct a spur track at grade across Brannan Street and across two tracks of Market Street Railway Company in said street, in the City and County of San Francisco, State of California, described as follows:

"Beginning at a point in the center line of the Western Pacific Railroad Company's spur track serving the National Carbon Company in Block 411 in the City of San Francisco, California, said point being in Eighth Street about 20 feet southwesterly from the northeasterly line of Eighth Street; thence diverging on a curve to the right about 200 feet and crossing the southwesterly line of Brannan Street about 70 feet northeasterly of the northeasterly line of Eighth Street; thence along Brannan Street about 150 feet; thence on a curve to the left about 330 feet and crossing the northwesterly line of Brannan Street about 460 feet from the northeasterly line of Eighth Street; thence on a curve to the right about 70 feet; thence in a northwesterly direction about 310 feet to a point on the southwesterly line of Bryant Street about 320 feet from the southwesterly line of Seventh Street and about 1060 feet from the point of beginning."

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 said 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 crossing of Brannan Street shall be constructed of a width and type of construction to conform to that portions of Brannan Street now graded, with grades of approach not exceeding one (1) percent; shall be protected by a suitable crossing sign and shall in every way be safe for the passage thereover of vehicles and other road traffic.

(3) All locomotive trains and cars of applicant shall, before passing over said crossing of the tracks of Market Street Railway Company stop and not proceed thereover until it has been ascertained that ^{it} is safe so to do.

(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 16th day of January, 1923.

C. Seaver
H. B. Brundage
Irving Martin
E. J. Dine
J. P. Whitney
Commissioners.