

ORIGINAL

In the matter of the application of )  
the CITY OF SACRAMENTO for an order )  
authorizing the opening of Sierra )  
Avenue at grade across the track and )  
right of way of the Southern Pacific )  
Company on its "R" Street line, in )  
the City of Sacramento, California. )  
..... )

Application No. 2130.

Decision No. 3286

By the Commission,

O R D E R.

CITY OF SACRAMENTO, California, having on March 13, 1916, filed with the Commission an application for permission to open Sierra Avenue at grade across the track and right of way of Southern Pacific Company on its "R" Street line in said city, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that applicant has secured from Southern Pacific Company its consent to the granting of an easement allowing said crossing to be made at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said track, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted the City of Sacramento, California, to open Sierra Avenue at grade across the track and right of way of Southern Pacific Company on its "R" Street line in said city. This crossing being more particularly described in the application and shown on the maps accompanying same, and to be constructed subject to the following conditions, viz.:-

(1) The entire expense of constructing the crossing at grade shall be borne by applicant.

(2) The expense of maintaining the crossing up to two (2) feet of the rails of Southern Pacific Company shall be borne by applicant. Southern Pacific Company shall maintain said crossing across its tracks and to a distance of two (2) feet outside thereof.

(3) Said crossing shall be constructed of a width to conform to the present construction of Sierra Avenue on each side of the Southern Pacific Company's right of way, with grades of approach as shown on the profile submitted by the city with its application, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(4) The live oak tree situated on Southern Pacific Company's right of way about seventy-eight (78) feet east of the Sierra Avenue property line and twenty-one feet from the southerly edge of the right-of-way shall be removed in order to clear the view on the southeast corner of the crossing. The row of olive trees on the railroad right-of-way west of Sierra Avenue and extending along the southerly edge of the right of way for some four hundred feet shall also be removed in order to clear the view on the southwest corner of the crossing; the expense of these removals to be borne by applicant.

(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 27<sup>th</sup> day of April, 1916.

Max Thelen

Alex Gordon

Frank R. Decker

Commissioners.