

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
SOUTHERN PACIFIC COMPANY for per-)
mission to construct a spur track at)
grade across Seventh Street, in the)
City of Berkeley, Alameda County,)
California.)
.....)

Application No. 2312.

By the Commission,

ORDER.

SOUTHERN PACIFIC COMPANY, a corporation, having on May 26, 1916, filed with the Commission an application for permission to construct a spur track at grade across Seventh Street, in the City of Berkeley, Alameda County, 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 City Council of the City of Berkeley 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 Seventh Street, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted Southern Pacific Company to construct a spur track at grade across Seventh Street, in the City of Berkeley, Alameda County, California, described as follows:-

"Beginning at a point in the westerly line of Seventh Street, distant 124 feet northwesterly from the northerly line of Anthony Street, and running thence northeasterly parallel to said northerly line of Anthony Street, and on a line distant 18 feet southerly from and parallel to an existing spur track, a distance of 60 feet across Seventh Street, to a point in the easterly line of Seventh 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 Seventh 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) 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 1st day of June, 1916.

Max Thelen

H. B. Leonard

Frank R. Devlin

Commissioners.