

Decision No. _____.

ORIGINAL

Decision No. 3793

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the appli-)
cation of Southern Pacific)
Company for permission to)
construct two spur tracks)
at grade across Delaware)
Street and one across Virginia)
Street, in the City of Berkeley,)
Alameda County, California.)
.....

Application No. 2588.

By the Commission.

O R D E R.

SOUTHERN PACIFIC COMPANY, a corporation, having on October 7, 1916, filed with the Commission an application for permission to construct two spur tracks at grade across Delaware Street and one across Virginia 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 of Berkeley for the construction of said crossings at grade; and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Delaware and Virginia Streets; 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 two spur tracks at grade across Delaware Street and one across Virginia Street, in the City of Berkeley, Alameda County, California, described as follows:

"1. Commencing at a point on the northerly line of Virginia Street 154.7 feet westerly from the westerly line of Second Street; thence across Virginia Street at right angles thereto 60 feet; thence over private property to a point on the northerly line of Delaware Street, said point being 154.7 feet westerly from the westerly line of Second Street; thence across Delaware Street and at right angles thereto 80 feet to a point on the southerly line of Delaware Street.

2. Commencing at a point on the aforesaid spur track No. 1, 245 feet northerly from the northerly line of Delaware Street; thence southerly over private property to a point on the northerly line of Delaware Street; said point being 119 feet westerly from the westerly line of Second Street; thence on a curve across Delaware Street 80 feet plus to a point on the southerly line of Delaware Street, said point being 115.2 feet westerly from the westerly line of Second Street."

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 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 Delaware and Virginia Streets now graded, with grades of approach not exceeding four (4) per cent; 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 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 October, 1916;

Max Thelen
H. S. Howard
Chas. Gordon

Frank R. Doolin

Commissioners.