

# ORIGINAL

Decision No. 4931

Decision No. \_\_\_\_\_

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of )  
 THE ATCHISON, TOPEKA AND SANTA FE )  
 RAILWAY COMPANY and the CALIFORNIA, )  
 ARIZONA AND SANTA FE RAILWAY COMPANY for )  
 authority to install a spur track at grade ) Application No. 3356.  
 in and along Haven Street up to Park Avenue, )  
 and across Hollis, Holden and Horton Streets )  
 in the Town of Emeryville, California. )  
 .....

By the Commission.

## O R D E R.

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY and the CALIFORNIA, ARIZONA AND SANTA FE RAILWAY COMPANY, both corporations, having on November 30, 1917, filed with the Commission an application for permission to install a spur track at grade in and along Haven Street up to Park Avenue, and across Hollis, Holden and Horton Streets in the Town of Emeryville, 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 permission of the Board of Trustees of the Town of Emeryville has been secured 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 streets, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That The Atchison, Topeka and Santa Fe Railway Company and the California, Arizona and Santa Fe Railway Company be granted permission to install a spur track at grade in and along Haven Street up to Park Avenue,

and across Hollis, Holden and Horton Streets in the Town of Emeryville, California, described as follows:

Beginning at a point in the westerly line of Haven Street two hundred and seventy-five (275) feet more or less south of Park Avenue; thence easterly and northerly on a convenient curve concave to the northwest to a point in said Haven Street at or near the southerly line of Park Avenue; also a spur crossing the southerly 15 feet of Horton Street; also a spur crossing the southerly 15 feet of Holden Street; also a spur crossing Hollis Street beginning in the westerly line thereof 418 feet more or less south of Park Avenue; thence across said Hollis Street to a point in the easterly line thereof 420 feet more or less south of Park Avenue.

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 applicants.

(2) Said crossings shall be constructed of a width and type to conform to those portions of the streets to be crossed 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, maintenance and operation 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 6th day  
of December, 1917.

Max Thelen  
H. Howard  
Alex Gordon  
Edwin C. Edgerton  
Francis R. Kirby

Commissioners.