

DECISION NO. _____.

ORIGINAL

Decision No. 5582

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, for authority to construct a spur track extension in and along Hubbard Street, north of Park Avenue, in the Town of Emeryville, County of Alameda, State of California.

Application No. 3928.

By the Commission.

ORDER

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, having on July 5, 1918, filed with the Commission an application for permission to construct a spur track extension in and along Hubbard Street, north of Park Avenue, in the Town of Emeryville, County of Alameda, 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 Board of Trustees of the said Town of Emeryville has granted its permission for this construction to be made; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said street, and that this application should be granted subject to certain conditions;

IT IS HEREBY ORDERED, That permission be hereby granted The Atchison, Topeka and Santa Fe Railway Company to construct a spur track extension in and along Hubbard Street, north of Park Avenue, in the Town of Emeryville, County of Alameda, State of California, described as follows:

"Commencing at a point in the center line of

an existing spur track of The Atchison, Topeka and Santa Fe Railway Company in Hubbard Street, said point being distant 235.7 feet northerly at right angles from the northerly line of Park Avenue produced across Hubbard Street, and distant 10.0 ft. westerly at right angles from the easterly line of Hubbard Street; thence running northerly parallel to the easterly line of Hubbard Street and distant 10.0 ft. westerly therefrom a distance of 95.0 ft. to the end."

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 to conform to that portion of the street to be crossed 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 15th day of July, 1918.

Edwin O. Edgerton
John W. Board
Wm. J. Board
Stan R. Board

Commissioners.