

Decision No _____

ORIGINAL

Decision No. 5585

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)	
THE WESTERN PACIFIC RAILROAD COMPANY)	
for permission to construct a track)	
at grade across Chestnut Street, in)	Application No. 3931
the City of Oakland, County of Alameda,)	
State of California.)	

By the Commission

O R D E R

THE WESTERN PACIFIC RAILROAD COMPANY, a corporation, having on July 6, 1918, filed with the Commission an application for permission to construct a track at grade across Chestnut Street, in the City of Oakland, 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 franchise or easement has been granted by the City Council of the City of Oakland 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 Chestnut Street, and that this application should be granted subject to the conditions hereinafter specified:

IT IS HEREBY ORDERED, That permission be hereby granted The Western Pacific Railroad Company to construct its track at grade across Chestnut Street, in the City of Oakland, Alameda County, California, described as follows:

Beginning at a point on the East line of Chestnut Street, 70 feet more or less distant measured Northerly along said east line of Chestnut Street from the North line of First Street, a distance of 60 feet, more or less, to a point on the west line of said Chestnut Street, 35 feet, more or less distant, measured northerly along said west line of Chestnut Street, from the aforesaid north line of First 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 Chestnut 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 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. Eady

W. D. Howard

W. G. Jones

Frank R. Jones

Commissioners.