

Decision No. 6217.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
DIRECTOR GENERAL OF RAILROADS, SOUTHE-)
ERN PACIFIC RAILROAD, for an order)
authorizing the construction of a spur) Application No. 4445.
track at grade across County Road No.)
520 near Newark, Alameda County, Cali-)
fornia.)

By the Commission.

ORDER

DIRECTOR GENERAL OF RAILROADS, SOUTHERN PACIFIC RAILROAD,
having, on March 18, 1919, filed an application with the Commission
for permission to construct a spur track at grade across County
Road No. 520, near Newark, in the County of Alameda, State of Cali-
fornia, as hereinafter indicated; and it appearing to the Commission
that this is not a case in which a public hearing is necessary; that
the crossing to be constructed is not within the limits of an in-
corporated town or city and no franchise is needed for its construc-
tion at grade; and it further appearing that it is not reasonable
nor practicable to avoid a grade crossing with said road, and that
this application should be granted subject to the conditions here-
inafter specified;

IT IS HEREBY ORDERED, That permission be and the same
is hereby granted DIRECTOR GENERAL OF RAILROADS, SOUTHERN PACIFIC
RAILROAD, to construct a spur track at grade across County Road
No. 520, near Newark, in the County of Alameda, State of California;
said spur track to cross the county road in two locations, described
as follows:

COMMENCING at a point on the westerly line of County Road No. 520, distant 20 feet southerly from the center line of the railroad of the Southern Pacific Company running between Elmhurst and Santa Clara, thence $53^{\circ} 10'$ E a distance of 90 feet more or less to a point on the easterly line of County Road No. 520 said point being 32 feet southerly from the aforesaid center line of railroad.

Also -

COMMENCING at a point on the northerly line of County Road No. 5560, distant fifteen feet more or less easterly from the easterly line of County Road No. 520; thence in a southwesterly direction, along the arc of a curve having a radius of 573.14 ft. and crossing the westerly terminus of County Road No. 5560, and crossing County Road No. 520 a distance of 75 feet more or less to a point on the westerly line of County Road No. 520 said curve at this point being tangent to a course which bears South $84^{\circ} 12'$ West.

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 road to be crossed now graded, with grades of approach not exceeding four (4) percent; 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 22nd day
of March, 1919.

Edwin O. Edgerton

A. S. Boardman

Frank R. Denton

H. W. Brundage

Jessie M. MacLean

Commissioners.