

Decision No. 6444.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of )  
DIRECTOR GENERAL OF RAILROADS, )  
SOUTHERN PACIFIC RAILROAD, for an )  
order authorizing the construction ) Application No. 4679.  
of a spur track at grade across )  
Virginia Street in the City of )  
Berkeley, County of Alameda, State )  
of California. )

By the Commission.

ORDER

DIRECTOR GENERAL OF RAILROADS, SOUTHERN PACIFIC RAILROAD,  
for an order authorizing the construction of a spur track at grade  
across Virginia Street, in the City of Berkeley, 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 City Council of the City of Berkeley has granted  
its permission for the necessary 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 the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be and the same is  
hereby granted DIRECTOR GENERAL OF RAILROADS, SOUTHERN PACIFIC RAIL-  
ROAD, to construct a spur track at grade across Virginia Street,  
in the City of Berkeley, County of Alameda, State of California,  
described as follows:

"BEGINNING at a point in the existing track of  
the Southern Pacific Company in Second Street, Berke-

ley, said point being 50 feet northerly, measured along center line of said existing track from the northerly line of Virginia Street produced; thence southerly on a curve to the left, 50 feet more or less to a point along the northerly line of Virginia Street if produced, 16 feet westerly, measured along said northerly line from the easterly line of Second Street; thence continuing southerly on a curve to the left 60 feet more or less to a point in the southerly line of Virginia Street, 9 feet westerly, measured along said southerly line from the easterly line of Second Street; thence continuing southerly on a straight line 43 feet to a point in the easterly line of Second Street, distant 43 feet southerly, measured along the easterly line of Second Street from the southerly line of Virginia Street; thence continuing southerly into private property."

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 Virginia 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 25<sup>th</sup> day of  
June, 1919.

Edwin O. Edgerton

Frazer R. DeLong

William Martin

Commissioners.