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Decision No. 7864

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
The Western Pacific Railroad Company,
a corporation, for permission to con-
struct, maintain, and operate a spur
track at grade along and across Martinez
street and across Ramon Street, in the
City of San Leandro, County of Alameda,
California.

Application No. 5961.

By the Commission,

O R D E R

The Western Pacific Railroad Company, a corporation, having on July 27, 1920, filed with the Commission an application for permission to construct, maintain, and operate a spur track at grade along and across Martinez Street and across Ramon Street, in the City of San Leandro, County of Alameda, 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 necessary franchise or permit has been granted by the Board of Trustees of the City of San Leandro, for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said streets, 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 The Western Pacific Railroad Company to construct, maintain, and operate a spur track at grade along and across Martinez Street and across Ramon Street, in the City of San Leandro, Alameda County, California, described as follows:

COMMENCING at a point on the main line track of The Western Pacific Railroad Company, 50 feet, more or less, distant southeasterly from the southeasterly line of Ramon Street and 20 feet more or less distant, measured Northeasterly from the northeasterly line of Martinez Street; thence northwesterly on a curve to the left across said Ramon Street to a point on the northwesterly line of said Ramon Street, 17 feet, more or less, distant, measured northeasterly along the northwesterly line of said Ramon Street from the aforesaid northeasterly line of Martinez Street; thence westerly and southwesterly across the property of The Western Pacific Railroad Company, to a point on the aforesaid northeasterly line of Martinez Street 70 feet, more or less, distant measured northwesterly along said northeasterly line of Martinez Street from the aforesaid northwesterly line of Ramon Street; thence continuing southwesterly on said curve, across said Martinez Street a distance of 150 feet, more or less, to a point on the southwesterly line of said Martinez Street 180 feet, more or less, distant, measured northwesterly along said southwesterly line of Martinez Street from the northwesterly line of said Ramon Street; thence entering private property in the block bounded by Martinez, Alvarado, Antonio and Ramon Streets.

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 applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of Martinez and Ramon Streets now graded, with grades of approach not exceeding two 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, operation, maintenance and protection 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 5th day
of August, 1920.

Edwin O. Sargent
W. B. Ireland
Frank D. Owen
Erving Martin

Commissioners.