

Decision No. 9594.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of)
Southern Pacific Company for permission)
to construct a spur track at grade)
across Sixty-sixth Street or Hallett)
Avenue in the Town of Emeryville,)
County of Alameda, California.)

Application No. 7214.

By The Commission:

O R D E R

Southern Pacific Company, a corporation, having on September 29, 1921, filed with the Commission an application for permission to construct a spur track at grade across Sixty-sixth Street (formerly called Hallett Avenue) in the Town of Emeryville, 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 of permit has been granted by Board of Trustees of the Town of Emeryville 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 Sixty-sixth Street, and that this application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED, that permission be and it is hereby granted Southern Pacific Company to construct a spur track at grade across Sixty-sixth Street in the Town of Emeryville, County of Alameda, State of California, described as follows:

Beginning at a point on the southerly line of 66th Street, formerly called Hallett Avenue, and distant thereon one hundred ninety-four (194) feet southwesterly from the southwesterly corner of said 66th Street and Maple Street in the Town of Emeryville, Alameda County State of California; thence northwesterly curving to the left, crossing said 66th Street to a point on the northerly line of said 66th Street, distant thereon one hundred ninety-five (195) feet southwesterly from the northwesterly corner of said 66th Street and said Maple 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 Sixty-sixth Street 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) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) 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 6th day of
October, 1921.

W. D. Loveland
Charles H. Brown
J. J. Sweeney
Commissioners.