

In the matter of the application of Southern Pacific Company for an order authorizing the construction of a spur track at grade in Parker street and across 10th street, City of Berkeley, California.

Application No. 68.

ORDER

By the Commission.

Southern Pacific Company having heretofore filed with this Commission its application for permission to construct at grade a spur track as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary, and that it is not reasonable nor practicable to avoid a grade crossing at the proposed point of crossing; and it further appearing that applicant has secured the necessary franchise or permit from the City of Berkeley, and that said application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be hereby granted to Southern Pacific Company to construct its track at grade commencing at a connection with its present spur track now occupying the center of Parker street, Berkeley, California, and near the east line of 9th street, thence curving to the north passing off of Parker street onto private property and thence crossing 10th street and onto private property owned by J. T. Penas, and extending to a point near the west line of San Pablo avenue, subject to the following conditions:

(1) The entire expense to complete said crossing shall be borne by the said railroad company.

(2) The railroad company shall hereafter forever maintain said crossing in good and first-class condition for the use of the public.

(3) The grades of approach to said crossing shall not exceed 8 percent and the width of roadbed at crown shall not be less than 24 feet.

(4) 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 demands such action.

Dated at San Francisco, California, this 8th day of June, 1912.

John M. Eschleman
H. D. Loveland
Max Thelen
Commissioners.