

ORIGINAL

Decision No. 28308.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of Application of
SOUTHERN PACIFIC COMPANY for an order
authorizing the construction at grade
of certain tracks in, along and across
Beck Street, between Havenscourt Blvd.,
and 67th Ave., Church Street and 73rd
Avenue, also Beck Street between 74th
and 75th Avenue, in the City of Oak-
land, County of Alameda, State of Cali-
fornia.

Application No. 20203.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, on October 24, 1935, applied for authority to construct certain tracks at grade across portions of Beck Street and across Church Street and 73rd Avenue in the City of Oakland, County of Alameda, State of California. Said construction is in effect a relocation of existing tracks crossing said streets, and which results in one additional track across Church Street and across 73rd Avenue. The necessary franchise or permit has been granted by the Bureau of Permits and Licenses of said city for the construction of said crossings at grade.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings at the points mentioned; and that the application should be granted,

IT IS HEREBY ORDERED that Southern Pacific Company is hereby authorized to construct tracks at grade across portions of Beck Street and across Church Street and 73rd Avenue in the City of Oakland, County of Alameda, State of California, at the locations more particularly described in the application and as shown by the map attached thereto, subject to the following conditions:

- (1) The above crossing of Church Street shall be identified as a portion of Crossing No. C-12.73, and that of 73rd Avenue as Crossing No. C-12.93.
- (2) The entire expense of constructing and thereafter maintaining the crossings in good and first-class condition for safe and convenient use of the public shall be borne by applicant.
- (3) Said crossings shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, and shall be constructed of a width to conform to those portions of said streets now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding two (2) per cent. The protection to be installed at said crossings will be specified in a supplemental order in this proceeding.
- (4) Applicant shall remove the tracks shown in yellow on the map attached to the application, in so far as they lie in Beck and Church Streets and 73rd Avenue, and shall repair the roadway to conform to the remainder thereof.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof, unless further time is granted by subsequent order.

- (7) 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, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 28th
day of October ~~November~~ 1935.

W. J. Carr
M. B. Lavin
William H. Hays
Frank E. Hays
Commissioners.