

Decision No. 23064.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the PEOPLE OF THE STATE OF CALIFORNIA, on relation of the Department of Public Works, for an order authorizing the construction of three crossings at grade of the State Highway (Cypress Street Approach to the San Francisco-Oakland Bay Bridge) and the tracks of the Southern Pacific and The Atchison, Topeka and Santa Fe Railways, in the City of Oakland, County of Alameda, State of California.

Application No. 20657.

BY THE COMMISSION:

ORIGINAL

ORDER

The People of the State of California, on relation of the Department of Public Works, on July 6, 1936, applied for authority to construct road IV-Ala-69-Oakland (Cypress Street approach to the San Francisco-Oakland Bay Bridge), at grade across (1) the jointly used tracks of Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company at 26th Street; (2) at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company at 20th Street; and (3) at grade across the tracks of Southern Pacific Company at 18th Street, all within the City of Oakland, County of Alameda, California.

The Atchison, Topeka and Santa Fe Railway Company, on July 16, 1936, and Southern Pacific Company, on August 10, 1936, signified in writing that they have no objection to the construction of said crossings at grade.

It appears 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 with said tracks

at the points mentioned; and that public convenience and necessity require the granting of this application, therefore,

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, are hereby authorized to construct State Highway Road IV-Ala-69-Oakland (Cypress Street approach to the San Francisco-Oakland Bay Bridge), at grade across (1) the jointly used tracks of Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company at 26th Street, (2) the tracks of The Atchison, Topeka and Santa Fe Railway Company at 20th Street, and (3) the tracks of Southern Pacific Company at 18th Street, all in the City of Oakland, County of Alameda, California, at the locations as shown on Exhibits "A," "B," and "C" attached to the application, subject, however, to the following conditions:

- (1) The above crossings shall be identified as follows:

26th Street - Crossing No. A-6.54-C  
20th Street - Crossing No. 2K-12.56-C  
18th Street - Crossing No. J-5.90.

- (2) The expense of constructing the crossings shall be borne by applicant, except that the respective carriers shall prepare the tracks and appurtenances thereto to receive the pavement. The cost of maintenance of those portions of said crossings outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of those portions of said crossings shall be borne:  
(a) at 26th Street jointly by Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company; (b) at 20th Street by The Atchison, Topeka and Santa Fe Railway Company; and (c) at 18th Street by Southern Pacific Company.
- (3) The crossings shall be constructed of a width of not less than forty (40) feet and at angles to the railroad as shown on Exhibits "A," "B," and "C" attached to the application, and with grades of approach not greater than two (2) per cent;

(3) Cont'd.

shall be constructed equal or superior to the type shown as Standard No. 3E in our General Order No. 72; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic. The crossings of 20th Street and 18th Street shall each be protected by two (2) Standard No. 1 crossing signs, as specified in our General Order No. 75-A.

- (4) Two (2) Standard No. 3 wigwag signals, as specified in our General Order No. 75-A, and floodlights shall be installed at the sole expense of applicant for the protection of said crossing of 26th Street (Crossing No. A-6.54-C). Said floodlights shall work in conjunction with said wigwag signals. The maintenance of said protection thereafter shall be borne jointly by Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company.
- (5) No train, engine, motor or car shall be operated over said crossings at 20th Street and 18th Street unless said train, engine, motor or car shall be first brought to a stop and traffic on the highway protected by a member of the train crew or other competent employee acting as flagman.
- (6) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings and of its compliance with the conditions hereof.
- (7) 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.
- (8) 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 17th day of August, 1936.

W. B. Blair  
Leon Whiskey  
W. H. Curry  
Walter H. H. H.  
Frank H. H. H.  
Commissioners.