

Decision No. 29376.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of THE  
 ATCHISON, TOPEKA AND SANTA FE RAILWAY  
 COMPANY, a corporation, for authority to  
 remove that certain trackage shown in yellow,  
 and to lay down, construct, maintain and oper-  
 ate that certain trackage shown in red upon  
 print attached hereto and by reference made  
 a part hereof, in the City of Oakland, County  
 of Alameda, State of California.

Application No. 20886.

**ORIGINAL**

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on November 19, 1936, applied for authority to relocate a spur track at grade across Peralta and Cypress Streets in the City of Oakland, Alameda County.

The necessary franchise or permit has been granted by the City Council 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 a grade separation or to avoid grade crossings at the points mentioned; and that the application should be granted;

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to relocate a spur track at grade across Peralta and Cypress Streets 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 Peralta Street shall be identified as a portion of Crossing No. 2K-12.51-C, and that of Cypress Street as a portion of Crossing No. 2K-12.56-C.

- (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. 3 in our General Order No. 72; shall be constructed without super-elevation and of a width to conform to those portions of said streets now graded, with the tops of rails flush with the pavement; and each crossing shall be protected by two (2) Standard No. 1 crossing signs, as specified in our General Order No. 75-A.
- (4) Upon completion of the crossings herein authorized, the existing crossings of Peralta and Cypress Streets by said spur track (as shown in yellow on map attached to the application) shall be removed and the pavement restored to conform to the adjacent portions of said streets.
- (5) 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.
- (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 15<sup>th</sup> day of December, 1936.

W. B. Hewitt  
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Walter J. ...  
Francis ...  
Commissioners.