

Decision No. 29545

## 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 spur track across an un-named alley between "A" Street and north "B" Street, and along and across north "B" Street, in the City of Sacramento, County of Sacramento, State of California

Application No. 21007

BY THE COMMISSION:

**ORIGINAL**O R D E R

Southern Pacific Company, a corporation, on February 5, 1937, applied for authority to construct a spur track at grade across a portion of North "B" Street and across an unnamed and not traveled alley in the City of Sacramento, County of Sacramento, State of California. 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 grade separations or to avoid grade crossings at the points mentioned and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that Southern Pacific Company is hereby authorized to construct a spur track at grade across a portion of North "B" Street and across an unnamed alley in the City of Sacramento, County of Sacramento, State of California, at the locations more par-

ticularly described in the application and as shown by the map attached thereto, subject to the following conditions:

- (1) The above crossing of North "B" Street shall be identified as a portion of Crossing No. A-90.05-C.
- (2) The entire expense of constructing and thereafter maintaining the crossing of North "B" Street in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossing of North "B" Street shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, and shall be constructed without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding one (1) per cent, and shall be protected by a Standard No. 1 Crossing Sign as specified in our General Order No. 75-A.
- (4) This order is made upon the express condition that the unnamed alley referred to herein is not now actually constructed and open to travel at the point of crossing and this order shall not be deemed an authorization for the construction of an opening of said alley to public use across said spur track.
- (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 13<sup>th</sup> day  
of February, 1937.

Walter Moore

Leon Quibell

Frank P. Dwyer

Ray H. Alley

Commissioners.