

Decision No. 29615

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 at separated grades of crossings of the bridge railway of the San Francisco-Oakland Bay Bridge and certain main and electric line tracks of the Southern Pacific Railroad, and crossings at grade of said bridge railway and certain dedicated streets near the westerly terminus of 26th Street, in the City of Oakland, County of Alameda.

ORIGINAL

Application No. 21049

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on March 5, 1937, applied for authority to construct, at separated grades, crossings of the bridge railway of the San Francisco-Oakland Bay Bridge over certain main and electric line tracks of the Southern Pacific Company and crossings at grade of said bridge railway over certain dedicated, but not constructed streets, near the westerly terminus of 26th Street, in the City of Oakland, County of Alameda, California, all of which is shown on the map (Exhibit "A") attached to the application. Said Exhibit "A" bears the approval of Southern Pacific Company, The Atchison, Topeka and Santa Fe Railway Company and Key System.

The proposed series of crossings herein involved are described as follows:

- (a) A crossing of the northerly leg of said bridge railway (designated on said Exhibit "A" as "Section AA") and the steam and electric line tracks of Southern Pacific Company.
- (b) A crossing of the south leg of said bridge railway (designated on said Exhibit "A" as "Section BB") and the tracks of said Southern Pacific Company, which said south leg of said bridge railway also will cross a new lead track to be constructed by applicant to provide railroad facilities to and from the new interchange yard of Southern Pacific Company and Santa Fe.
- (c) A crossing at grade of Track No. 1 and Track No. 2 of said bridge railway over 22nd Street, a dedicated but not constructed street.
- (d) A crossing at grade of said bridge railway and 34th Street, a dedicated but not constructed street.
- (e) A crossing with impaired clearance of said bridge railway over 24th, 25th, Surryhne and 34th Streets, all of which are dedicated but not constructed streets.
- (f) Crossings at grade of said proposed lead track and said interchange yard hereinbefore referred to with 22nd, 24th, 25th, 26th, 32nd, Surryhne, and 34th Streets, at the several locations indicated on said Exhibit "A."

Applicant alleges that the portions of said streets involved herein have been dedicated to public use but have not been improved or open to public use and travel; that proceedings have been initiated and are now pending before the City Council of the City of Oakland for the vacation and abandonment of said streets, or portions thereof.

Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company have signified in writing that they have no objection to the granting of this application. The City of Oakland, by resolution No. 4999, C.M.S., signified that it has no objection to the granting of this application.

It appearing that a public hearing is not necessary herein; that it is in the interest of public convenience and necessity that said crossings be constructed, and that the application

should be granted,

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 the bridge railway of the San Francisco-Oakland Bay Bridge across certain railroad tracks and public streets as follows:

- (A) A crossing at separated grades of the northerly leg of said bridge railway above the steam and electric line tracks of Southern Pacific Company, in the vicinity of 26th Street, City of Oakland.
- (B) A crossing at separated grades of the south leg of said bridge railway above the tracks of said Southern Pacific Company, and at separated grades above new lead track connecting Southern Pacific Company's tracks with new interchange yard of Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company, in the vicinity of said 26th Street.
- (C) A crossing at grade of Track No. 1 and Track No. 2 of said bridge railway over 22nd Street, in said City of Oakland.
- (D) A crossing at grade of said bridge railway over 34th Street, at a point approximately midway between the westerly terminus of 34th Street and the main line of Southern Pacific Company.
- (E) Crossing at separated grades with impaired clearances of said bridge railway across 24th, 25th, Surryhne, and 34th Streets, in said City of Oakland.
- (F) Crossings at grade of proposed lead track and new interchange yard across 22nd, 24th, 25th, 26th, 32nd, Surryhne, and 34th Streets, and including the relocation of existing railway tracks in Wood Street, north of 34th Street.

The locations of said crossings are in the City of Oakland, County of Alameda, State of California, and are more particularly shown on the map (Exhibit "A"), attached to and made a part of the application.

Said crossings shall be constructed subject to the following conditions:

- (1) The entire cost of constructing and thereafter maintaining the crossings in good and first-class condition shall be borne in accordance with the terms of a certain agreement entered into between the California Toll Bridge Authority and Interurban Electric Railway Company, dated March 6, ~~1937~~ ¹⁹³⁶ ^{189m}, a copy of which has heretofore been filed with the Railroad Commission in Applications Nos. 19703 and 19704, and thereafter approved by the Commission in Decision No. 28671, dated March 23, 1936.
- (2) Said crossings at separated grades over tracks hereinbefore described shall be constructed with clearance conforming to the provisions of our General Order No. 26-C.
- (3) This Order is made upon the express condition that 22nd, 24th, 25th, 26th, 32nd, Surryhne, and 34th Streets are not now actually constructed and open to travel at the respective points of crossing and this Order shall not be deemed an authorization for the construction of openings of said streets to public use at grade or at separated grades across said bridge railroad.
- (4) 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.
- (5) The authorization herein granted shall lapse and become void if not exercised within two (2) years from the date hereof, unless further time is granted by subsequent order.

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

Dated at San Francisco, California, this 22 day of March, 1937.

W. H. H. H. H.
Leon C. H. H. H.
James R. H. H. H.
Robert C. H. H. H.
Ray L. H. H. H.