

Decision No. 29867

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
THE WESTERN PACIFIC RAILROAD COMPANY  
for permission to construct, operate,  
and maintain a spur track at grade  
across 18th Street at Wisconsin Street,  
in the City and County of San Francisco,  
State of California.

Application No. 21234.

**ORIGINAL**

BY THE COMMISSION:

O R D E R

The Western Pacific Railroad Company, a corporation, on June 1, 1937, applied for authority to construct a spur track at grade across 18th and Wisconsin Streets in the City and County of San Francisco, State of California.

Applicant advises that it has made application to the City and County of San Francisco for the necessary franchise or permit.

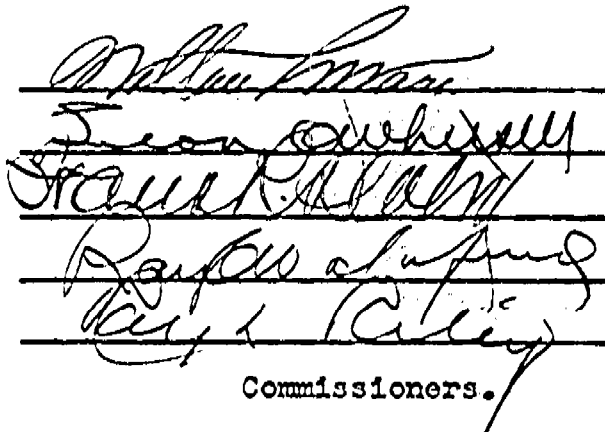
It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing at the point mentioned and that the application should be granted,

IT IS HEREBY ORDERED that The Western Pacific Railroad Company is hereby authorized to construct a spur track at grade across 18th and Wisconsin Streets in the City and County of San Francisco, State of California, at the location more particularly described in the application and as shown by the map (Exhibit "A") attached thereto, subject to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition shall be borne by applicant.
- (2) This order is made upon the express condition that 18th and Wisconsin Streets are 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 streets to public use across said spur track. Said track shall be so constructed that grades of approach not exceeding four (4) per cent will be feasible in the event the construction of an opening of said streets across said spur track shall hereinafter be authorized and so that said grade crossing may be made safe for the passage thereover of vehicles and other road traffic.
- (3) The authorization herein granted shall lapse and become void unless applicant shall, within ninety (90) days from the date hereof, file with this Commission a certified copy of a franchise or permit issued by the City and County of San Francisco, authorizing the construction of said spur track, unless further time is granted by subsequent order.
- (4) 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.
- (5) 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.
- (6) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing 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 14<sup>th</sup> day of June, 1937.


  
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 Commissioners.