

Decision No. 321255

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of SOUTHERN PACIFIC )  
COMPANY and THE WESTERN PACIFIC RAILROAD COMPANY )  
for an order authorizing the construction of a )  
railroad drill or switching track upon and across ) Application  
Seminary and 66th Avenues, and a railroad spur ) No. 23577  
track upon and across 66th Avenue, in the City of )  
Oakland, County of Alameda, State of California. )

BY THE COMMISSION:

O R D E R

ORIGINAL

Southern Pacific Company and The Western Pacific Railroad Company are authorized to construct a drill track at grade across Seminary Avenue and 66th Avenue and a spur track at grade across 66th Avenue in Oakland, Alameda County, at the locations described in the application, the crossings with 66th Avenue to be identified as a portion of Crossing No. D-11.7. Seminary Avenue is unimproved at the point of crossing. Applicants shall bear entire construction and maintenance expense. Construction of the crossings of 66th Avenue shall be equal or superior to Standard No. 2 of G. O. No. 72, without superelevation and of a width to conform to the portion of the street now graded, with tops of rails flush with roadway, and with grades of approach not exceeding one per cent. Protection shall be by one additional Standard No. 1 crossing sign. (G. O. No. 75-B).

This order is made upon the express condition that Seminary Avenue 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 avenue to public use across said track.

Within thirty days after completion pursuant to this order, applicants shall so advise the Commission in writing. This authorization shall become void if not exercised within one year, unless time be extended, or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require. This order shall be effective immediately.

Dated at San Francisco, California, this 23<sup>rd</sup> day  
of July, 1940.

James D. [unclear]  
R. [unclear]  
[unclear]  
Justus J. [unclear]  
Commissioners