

Decision No. 38318

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the CITY OF OAKLAND, a municipal corporation, to construct a crossing at grade across the tracks of the SACRAMENTO NORTHERN RAILWAY, in the City of Oakland, County of Alameda, State of California.

ORIGINAL
Application No. 26991

BY THE COMMISSION:

ORDER

The City of Oakland, County of Alameda, State of California, on October 2, 1945, applied for authority to construct a public street known as Paso Robles Drive at grade across the tracks of Sacramento Northern Railway, in the said City of Oakland. Sacramento Northern Railway on October 16, 1945, signified, in writing, that it has no objection to the construction of said crossing 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 a grade crossing with said tracks at the point mentioned, and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the City of Oakland, in the County of Alameda, State of California, is hereby authorized to construct Paso Robles Drive at grade across the tracks of Sacramento Northern Railway, at the location more particularly described in the application and as shown by the maps (Exhibits A and B) attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as: Crossing No. 8-13.4.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the

outside rails shall be borne by Sacramento Northern Railway.

- (3) The crossing shall be constructed of a width of not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than those as shown on Exhibit "A" attached to the application; shall be constructed equal or superior to type shown on Standard No. 2 of our General Order No. 72; shall be protected by one Standard No. 1 crossing sign (G.O. 75-B).. Applicant shall install a suitable boulevard stop sign on the north side of railroad crossing.
- (4) Applicant shall not open said crossing to traffic before January 1, 1946.
- (5) 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.
- (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 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 19th day of October, 1945.

David G. Quinn
Justice J. Calverley
Frank A. Brown
Walter P. Russell

COMMISSIONERS