

ORIGINAL

Decision No. 11730

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of application of)
Southern Pacific Company, for an)
order authorizing the construction)
at grade of a spur track crossing)
Sunol Street, in the City of San)
Jose (West San Jose), County of)
Santa Clara, State of California.)

Application No. 8700

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, having on February 19, 1923, filed with the Commission an application for permission to construct a spur track at grade across Sunol Street in the City of San Jose, County of Santa Clara, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary permit (Resolution No. 760) has been granted by City Council of said City of San Jose for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Sunol Street, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is

hereby granted Southern Pacific Company to construct a spur track at grade across Sunol Street in the City of San Jose, County of Santa Clara, State of California, described as follows:

Beginning at a point on the westerly line of Sunol Street, said point being distant 132 feet, more or less, measured in a northerly direction along the westerly line of Sunol Street from the point of intersection of said westerly line with the northerly line of San Salvador Street; thence in a northeasterly direction on a curve concave to the left a distance of 85 feet, more or less, to a point on the easterly line of Sunol Street, said point being distant 200 feet, more or less, measured in a northerly direction along the easterly line of Sunol Street from the point of intersection of said easterly line with the northerly line of San Salvador Street.

All of the above as shown by the map (Coast Division Drawing 13845) attached to the application; said crossing to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of said street now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding two (2) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) The authorization herein granted for the installa-

tion of said crossing shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) 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, the public convenience and necessity demand such action.

This order shall become effective three (3) days after the making thereof.

Dated at San Francisco, California, this 27th day of February, 1923.

C. Henry

J. W. Martin

J. T. Whittier
Commissioners.