

ORIGINAL

Decision No. 12798

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 across )  
Orange, Brighton and Olive Avenues )  
and State Street, in the City of )  
El Centro, County of Imperial, )  
State of California. )

Application No. 9468.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, having on October 20, 1923, filed with the Commission an application for permission to construct a spur track at grade across Orange, Brighton and Olive Avenues and State Street in the City of El Centro, County of Imperial, 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 has been granted by the Board of Trustees of said City of El Centro for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Orange, Brighton and Olive Avenues and State 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 Orange, Brighton and Olive Avenues and State Street in the City of El Centro, County of Imperial, State of California, described as follows:

Beginning at a point on the north line of State Street, distant 121.5 feet west measured along said North line from its intersection with the West line of Third Street; thence South, parallel to the West line of Third Street produced, 80 feet to the South line of State Street.

Beginning at a point on the North line of Olive Avenue distant 121.5 feet West measured along said North line from its intersection with the West line of Third Street; thence South, parallel to the West line of Third Street produced, 60 feet to the South line of Olive Avenue.

Beginning at a point on the South line of Brighton Avenue distant 8.469 feet East measured along said South line from its intersection with the easterly right of way line of the Inter-California Railway Company; thence North  $18^{\circ}46'$  West, parallel to the aforesaid right of way line, 8.169 feet, to a point; thence northerly along a curve concave to the East having a radius of 764.08 feet, (whose tangent at the last mentioned point is the last described course) a distance of 54.574 feet to a point on the north line of Brighton Avenue.

Beginning at a point on the South line of Orange Avenue, which point is distant 8.5 feet westerly from its intersection with the Inter-California Railway Company's easterly right of way line, measured along the said South line of Orange Avenue; thence northerly parallel to the said easterly right of way line produced northerly, a distance of 71.4 feet, more or less, to a point on the northerly line of Orange Avenue.

All of the above as shown by the map (Los Angeles Division Drawing F-8474) attached to the application; said crossings to be constructed subject to the following conditions, viz:-

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

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said street and avenues 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 suitable crossing signs, 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 crossings.

(4) Applicant shall, within ninety (90) days submit certified copy of a franchise from the City of El Centro for the construction of said crossings at grade.

(5) The authorization herein granted for the installation of said crossings will lapse and become void one year from the date of this order 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 crossings 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 6<sup>th</sup> day of November, 1923.

J. A. Leary  
H. B. Brundage  
Dwight Martin  
Edwin Shore  
Commissioners.