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Decision No. 14807

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 side track and a spur track across Public Road, known as extension of Third St., in the City of Oxnard, County of Ventura, State of California.

ORIGINAL

Application No. 9678.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, having on January 8, 1924, filed with the Commission an application for permission to construct its side track and spur track at grade across Third Street in the City of Oxnard, County of Ventura, 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 a resolution has been passed by the Board of Trustees of said City of Oxnard approving the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Third 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 its side track

and spur track at grade across Third Street in the City of Oxnard County of Ventura, State of California, described as follows:

Track No. 1: Commencing at a point in the northerly line of Public Road, known as Third St., which point is distant 155 ft., more or less, easterly from the intersection of said northerly line of said Public Road with the easterly line of Saviers Road; thence southeasterly in a direct line across Public Road a distance of 64 feet, more or less, to a point in the southerly line of said Public Road, which point is distant 177 ft., more or less easterly from the intersection of the southerly line of said Public Road with said easterly line of Saviers Road.

Track No. 2: Commencing at a point in the northerly line of Public Road, known as Third St., which point is distant 150 ft., more or less, easterly from the intersection of the northerly line of said Public Road with the easterly line of Saviers Road; thence southeasterly in a direct line 63 ft., more or less, to a point in the southerly line of said Public Road, which point is distant 163 ft., more or less, easterly from the intersection of said southerly line of said Public Road with the said easterly line of Saviers Road.

All of the above as shown by the map (Los Angeles Division Drawing 8167-F) 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 now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding one (1) 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) If said crossings shall not have been installed

within one year from the date of this order, the authorization herein granted shall then lapse and become void, 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 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 2nd day of February, 1924.

C. A. Scully
W. B. Brundage
W. M. McPherson
Charles Stone
J. P. Whittney
Commissioners.