

Decision No. 13 149

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of the San Diego and Arizona Railway Company, for permission to construct, maintain and operate an industrial spur track over and across certain streets in the City of National City, California.

Application No. 9731.

BY THE COMMISSION:

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San Diego and Arizona Railway Company, a corporation, having on January 26, 1924, filed with the Commission an application for permission to construct a spur track at grade across Eighth, Seventh, Sixth, Fourth and Second Streets, Fourth and Fifth Avenues and the alley in Block 122, in the City of National City, County of San Diego, 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 franchise or permit (Resolution No. 846) has been granted by the Board of Trustees of said City of National City for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said streets and avenues, 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 San Diego and Arizona Railway Company to construct a spur track at grade across Eighth, Seventh, Sixth, Fourth and Second Streets, Fourth and Fifth Avenues and the alley in Block 122, in the City of National City, County of San Diego, State of California, described as follows:

Commencing at a point on the center line of the main track of The San Diego and Arizona Railway Company, said point being one hundred and three and six-tenths (103.6) feet distant northerly, measured at right angles, from the northerly line of Ninth Street and fifty (50) feet distant easterly measured at right angles from the easterly line of Sixth Avenue; thence northwesterly along a line parallel to and fifty (50) feet distant at right angles from said easterly line of Sixth Avenue thirty two and nine tenths (32.9) feet; thence angling to the right five degrees and forty four minutes ($5^{\circ} 44'$) seventy one and two tenths (71.2) feet; thence curving to right along a curve with a radius of four hundred fifty eight and six tenths (458.6) feet, crossing eighth Street, Fifth Avenue and along Seventh Street, six hundred fifty nine and seven tenths (659.7) feet; thence easterly in a straight line tangent to last described curve fifty (50) feet along Seventh Street; thence curving to the left along a curve with a radius of four hundred fifty eight and six tenths (458.6) feet, along Seventh Street, across Fourth Avenue, across the alley in Block 122, across Sixth Street, and thence along the center line of Third Avenue produced northerly, across Fourth Street and Second Street;

All of the above as shown by the map (Western Division Drawing E-241, Sheet 1) attached to the application; said crossings to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossing of Eighth Street, 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 Eighth 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) Said crossings of Seventh, Sixth, Fourth, Second Streets, the alley in Block 122 and Fourth and Fifth Avenues shall be so constructed that grades of approach not exceeding (2) per cent will be feasible in the event that the construction of roadway along said streets shall hereafter be authorized and so that said grade crossings may be made safe for the passage thereover of vehicles and other road traffic.

(4) This order is made upon the express condition that said streets are not now actually constructed and open to travel at the respective points of crossings, and said order shall not be deemed an authorization for the construction of an opening of said streets to public use across said railroad track.

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

(6) 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.

(7) 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 13th
day of February, 1924.

Chas. H. ...
H. B. ...
James M. ...
J. T. Whitely
Commissioners.