

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of application of)
Southern Pacific Company for an)
order authorizing the construction)
at grade of a side track at grade)
across Main Avenue, in the Town)
of Morgan Hill, County of Santa)
Clara, State of California.)

Application No. 9975

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 14th day of April, 1924, asking for authority to construct a side track at grade across Main Avenue in the Town of Morgan Hill, County of Santa Clara, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Trustees of said Town for the construction of said crossing at grade, and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable at this time to avoid a grade crossing with said Main Avenue and that this application should be granted subject to the conditions hereinafter specified.

THEREFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to Southern Pacific Company to construct a side track at grade across Main Avenue, in the Town of Morgan Hill, County of Santa Clara, State of California, as follows:

BEGINNING at a point in the South line of Main Avenue, said point being about 147 feet easterly measured along said southerly line of Main Avenue from the easterly line of Depot Street; thence northerly and crossing Main Avenue to a point in the northerly line of Main Avenue, said point being about 147 feet easterly from the east line of Depot Street.

All of the above as shown by the map Coast Division Drawing 14447, 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 Main Avenue now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding three (3) 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) If said crossing 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 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 24th day
of April, 1924.

C. A. Murray

H. B. Brundage

Wing Martin

J. T. Whittier
Commissioners.