

Decision No. 13556

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 spur track across pub-  
lic roadway at Spence Street in the  
City of Monterey, County of Monterey,  
State of California.

ORIGINAL

Application No. 10055

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 8th day of May, 1924, asking for authority to construct a spur track at grade across Spence Street in the City of Monterey, County of Monterey, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 1896 C.S.) has been granted by the City Council of said City 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 Spence Street 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 spur track at grade across Spence Street in the City of Monterey, County of Monterey, State of California, as follows:

"BEGINNING at a point on the southerly line of Spence Street; said point being distant westerly 115 feet, more or less, measured along the said southerly line of Spence Street from the westerly line of Wave Avenue produced; thence in a northerly direction crossing Spence Street to a point in the northerly line of Spence Street, said point being distant westerly 110 feet, more or less, measured along said northerly line of Spence Street from the westerly line of Wave Avenue."

All of the above as shown by the map (Coast Division Drawing 14494) 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 Spence 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) 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 16th day  
of May, 1924.

Cl Seavey  
H. R. Rindge  
Irving Martin  
Ezeron Shore

Commissioners