

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)
Elizabeth Street and across Hope)
Street, in the Town of Alviso,)
County of Santa Clara, State of)
California.)

APPLICATION NO. 10278.

BY THE COMMISSION:

ORIGINAL

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 14th day of July, 1924, asking for authority to construct a spur track at grade across Elizabeth and Hope Streets in the town of Alviso, 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 crossings 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 provide separated grade crossings at the points mentioned in this application, or to avoid grade crossings with said streets 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 Elizabeth and Hope Streets in the Town of Alviso, County of Santa Clara, State of California, as follows:

BEGINNING at a point on the southerly line of Elizabeth Street distant thereon 228 feet more or less easterly from the westerly line of Hope Street; thence northwesterly and bearing $24^{\circ} 35'$ from said southerly line of Elizabeth Street, a distance of 60 feet, more or less, to a point; thence along a curve to the right, having a radius of 458.6 feet, whose tangent at last described point is the last described course, a distance of 172 feet, more or less, to a point; thence in a straight line tangent to said curve, at the last described point, a distance of 49 feet, more or less, to a point on the westerly line of Hope Street, said point being distant along said westerly line of Hope Street, 159 feet, more or less, northerly from the southerly line of Elizabeth Street.

Subject, however, to the following conditions:

All of the above as shown by the map (A-40, Sheet 2 Rev. W.D. 8035) 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 streets 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) 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 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 two (2) days after the making thereof.

Dated at San Francisco, California, this 18th day of June, 1924.

H. B. ...

Irving Martin

J. F. ...
COMMISSIONERS.