

Decision No. 13881

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of the)
San Diego and Arizona Railway Company,)
a corporation, for authority to con-)
struct, maintain and operate an In-)
dustry Spur Track at official grade a-)
cross a county highway in Otay Val-)
ley, San Diego County, California.)

ORIGINAL

Application No. 10240.

BY THE COMMISSION:

O R D E R

The San Diego and Arizona Railway Company, a corporation, filed the above entitled application with this Commission on the 1st day of July, 1924, asking for authority to construct a spur track at grade across County Highway known as New Survey No. 164 in Otay Valley, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Supervisors of said County 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 provide a separated grade crossing at the points mentioned in this application, or to avoid a grade crossing with said County Highway known as New Survey No. 164, 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 The San Diego and Arizona Railway Company to construct a spur track at grade across County Highway known as New Survey No. 164 in Otay Valley, County of San Diego,

State of California, as shown by the map (Western Division Drawing No. H-256) 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 County Highway now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding four (4) 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 will leave no cars standing on said spur track within one hundred and fifty (150) feet north or south of said County Highway.

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

(5) 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.

(6) 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 5th day of August, 1924.

C. L. Jensen
H. B. Pennington
James Martin
Egerton Shore

Commissioners.