

Decision No. 14088

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of the San Diego and Arizona Railway Company, a corporation, for permission to construct, maintain, and operate an industrial spur track across J Street, Second Street, and Third Street, in the City of San Diego, County of San Diego, State of California.

Application No. 10333

ORIGINAL

BY THE COMMISSION:

O R D E R

San Diego and Arizona Railway Company, a corporation, filed the above-entitled application with this Commission on the 28th day of July, 1924, asking for authority to construct a spur track at grade across "J" Street, Third Street, and a portion of Second Street, in the City of San Diego, County of San Diego, State of California, as hereinafter set forth. The necessary permit (Ordinance No. 9572) has been granted by the City Council of said City 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 grade separations, or to avoid grade crossings with said "J", Second and Third Streets at the points mentioned in this application, 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 San Diego and Arizona

Railway Company to construct a spur track at grade across "J" Street, Third Street and a portion of Second Street, in the City of San Diego, County of San Diego, State of California.

As shown by the map (Western Division Drawing H-257, Sheet 1, Revised 6-23-24) 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) percent; 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) 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 25th day of September, 1924.

H. B. Brundage
James Martin

J. F. Whittney
Commissioners.