

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
The Atchison, Topeka and Santa Fe)	
Railway Company, a corporation, for)	
authority to construct a spur track)	Application No. 10903.
across Nutmeg Street and along)	
California Street in the City of San)	
Diego, State of California.)	

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 7th day of March, 1935, asking for authority to construct a spur track at grade across Nutmeg and California Streets, in the City of San Diego, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit (Charter Ordinance No. 58) has been granted by the Board of Trustees 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 at the points mentioned in this application with said Nutmeg and California Streets, and that this application should be granted subject to the conditions hereinafter specified,

WHEREFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across Nutmeg and California Streets, in the City of San Diego, County of San Diego, State of California, as follows:

Beginning at the center line of the Railway Company's main track at Engineer's Station 370 plus 55.0, said point of beginning being 50.42 feet southwesterly from and at right angles to the eastern line of California Street and 62.13 feet northwesterly from and at right angles to the northern line of Nutmeg Street, produced, in City of San Diego, County of San Diego, California; thence southeasterly 15.83 feet on a curve concave to the northeast, having a radius of 1555.81 feet to point of switch, station 0 plus 00 of proposed track; thence continuing southeasterly 80.33 feet on said curve to station 0 plus 80.33, E.C.; thence southeasterly 10 feet on tangent to station 0 plus 90.33, B.C.; thence southeasterly 52.92 feet on a tangent curve concave to the northeast, having a radius of 478.339 feet to station 1 plus 43.25, P.R.C.; thence southeasterly 113.75 feet on a curve concave to the southwest, having a radius of 478.339 feet to station 2 plus 57.0, E.C.; thence southeasterly 124 feet on tangent, parallel with and 2.90 feet northwesterly from the eastern line of said California Street, to the end, 50.10 feet distant from the northern line of Maple Street.

Said center line of proposed track crosses the northern line of said Nutmeg Street, produced, at station 0 plus 48.53, distant 25.01 feet southwesterly from the northeastern corner of said Nutmeg and California Streets; crosses the southern line of said Nutmeg Street, produced, at station 1 plus 29.50, distant 13.67 feet southwesterly from the southeastern corner of said Nutmeg and California Streets, and crosses the northern line of said California Street, distant 73.67 feet southeasterly from the southeastern corner of said Nutmeg and California Streets.

and as shown by the map (Div. Engr's Drawing No.L-7-7539) 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 so constructed that grades of approach not exceeding four (4%) per cent will be feasible in the event that the construction of roadway along said Nutmeg and California Streets shall hereafter be authorized and so that grade crossings may 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 crossings 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) This order is made upon the express condition that Nutmeg and California Streets are not now actually constructed and open to travel at the respective points of crossing, and said order shall not be deemed an authorization for the construction of an opening of said streets to public use across said railroad tracks.

(6) 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 on the date hereof.

Dated at San Francisco, California, this 24th day of March, 1925.

H. B. Brundage
C. Seaver

George W. Squires

Commissioners.