

Decision No. 14843

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 )  
Front Street, in the Town of Moun- )  
tain View, County of Santa Clara, )  
State of California. )

Application No. 10867.

BY THE COMMISSION:

ORIGINAL

FIRST SUPPLEMENTAL OPINION

On the 24th day of February 1925, the Southern Pacific Company filed an application with this Commission asking for authority to construct a spur track at grade across Front Street in the Town of Mountain View, County of Santa Clara, State of California. The Commission, in its Decision No. 14672 dated March 16, 1925, granted Southern Pacific Company permission to construct this spur track across Front Street at grade, provided applicant submit within thirty days a certified copy of a franchise or permit from the Town of Mountain View for the construction of said crossing at grade.

It now appears that the crossing applied for is without the Town limits of Mountain View and that the Trustees of the Town of Mountain View have no jurisdiction in the premises. Southern Pacific Company has, under date of March 21, 1925, filed with this Commission a certified copy of a permit from the Board of Supervisors of the County of Santa Clara (Resolution passed the 2nd day of March, 1925) for the construction of said spur track at grade across Front Street, in the vicinity of Mountain View in said County.

It therefore appears that this Commission's Decision No. 14672 dated March 16, 1925, in the above entitled matter should be

revoked and a new order issued granting a spur track crossing in the County of Santa Clara, and it will be so ordered.

FIRST SUPPLEMENTAL ORDER

IT IS HEREBY ORDERED that this Commission's Decision No. 14672 dated the 16th day of March, 1925, be and it is hereby rescinded.

IT IS HEREBY FURTHER ORDERED, that permission and authority be and it is hereby granted to Southern Pacific Company to construct a track at grade across Front Street, in the vicinity of Mountain View, County of Santa Clara, State of California, as follows:

Beginning at a point on the northerly line of Front Street which is also the southwesterly right-of-way of the Southern Pacific Company, said point being distant 424 feet more or less southeasterly from the easterly line of Bush Street, produced to an intersection with above mentioned Southern Pacific Company right-of-way; thence from said point of beginning, in a westerly direction, and making an angle of 37° 30' with Southern Pacific right-of-way line thirty feet to a point; thence in a westerly direction on a curve to the right having a radius of 478.34 feet, 80 feet more or less to a point on the southerly line of Front Street, said point being distant 325 feet easterly, more or less, from the easterly line of Bush Street.

and as shown by the map (Coast Division Drawing No. 14470) 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 street now graded, with the tops of rails flush with the pavement, and with

grades of approach not exceeding one (1) 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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 25<sup>th</sup> day of April, 1925.

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*Albany*  
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*Egerton Shaw*  
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*George W. Squire*  
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*Ernest Scott*  
Commissioners.