

Decision No. 14864

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 across "A" Street, in the  
City of San Diego, California.

Application No. 11012.

ORIGINAL

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 16th day of April, 1925, asking for authority to construct a spur track at grade across "A" Street and to relocate and reconstruct an existing spur track (Track #8) at grade across said "A" Street in the City of San Diego, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 9836) has been granted by the Common Council of the City of San Diego for the construction and relocation 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 "A" Street, 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 Atchison, Topeka and Santa Fe Railway Company to construct a spur track and to relocate and reconstruct an existing spur track (Track #8) at grade across "A" Street, in the City of San Diego, County of San Diego, State of California, as follows:

PROPOSED SPUR: Beginning in the northern line of said A Street distant 148.66 feet westerly from the northwest corner of said A Street and Kettner Boulevard; thence southeasterly 56.52 feet on tangent which makes an angle of  $72^{\circ} 16'$  to the southeast with the said northern line of A Street; thence southeasterly 27.28 feet on a tangent curve, concave to the southwest, having a radius of 478.339 feet, to a point in the southern line of A Street distant 123.87 feet westerly from the southwest corner of said A Street and Kettner Boulevard.

PROPOSED LOCATION OF TRACK NO. 8: Beginning in the northern line of said A Street distant 156.26 feet westerly from the northwest corner of said A Street and Kettner Boulevard; thence southerly 70.53 feet on a curve, concave to the west, having a radius of 478.339 feet, the tangent to said curve at the north line of A Street making an angle of  $81^{\circ} 32'$  to the southeast with said street line; thence southerly 9.6 feet on tangent, which is at right angles to said A Street, to a point in the southern line of A Street distant 151.05 feet westerly from the southwest corner of said A Street and Kettner Boulevard.

and as shown by the map (Div. Eng. Dwg. No. L-7-7534) attached to the application; said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing and reconstructing the respective 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 that portion of said "A" Street now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding two and one-half ( $2\frac{1}{2}$ )

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) Track #8 as now existing across "A" Street shall be removed and street restored to the same condition as parts adjacent thereto.

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

(5) 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.

(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.

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

Dated at San Francisco, California, this 29<sup>th</sup> day of April, 1925.

H. B. Brundage

C. Leary

George D. Squires

COMMISSIONERS.