

# ORIGINAL

Decision No. 15310

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the Application of Petaluma and Santa Rosa Railroad Company for permission to construct a spur track at grade, for the M. Vonsen Company, across the Westerly half of First Street between "D" Street and "E" Street in the City of Petaluma, County of Sonoma, State of California.

Application No. 11509.

BY THE COMMISSION:

O R D E R

Petaluma and Santa Rosa Railroad Company a corporation, filed the above entitled application with this Commission on the 29th day of July, 1925, asking for authority to construct a spur track at grade across a portion of First Street in the City of Petaluma, County of Sonoma, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 3172 C.S.) has been granted by the City Council of said City for the construction of said crossing at grade. The proposed location of the track lies for a certain portion of its length at a distance of less than ten feet from both property line and curb line of First Street which is not in conformity with Section 2-b of this Commission's General Order No. 26-a. Applicant states that a joint pole line is now in place in this street. 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 grade separation, or to avoid a grade crossing at the points mentioned in this application with said First 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 Petaluma and Santa Rosa Railroad Company to construct a spur track at grade across a portion of First Street in the City of Petaluma, County of Sonoma, State of California, as follows:

A spur track leaving the Petaluma and Santa Rosa Railroad Company's main line track at a point approximately 215 feet South of the South line of "D" Street and extending Northerly, crossing the Westerly half of First Street at grade.

and as shown by the map (Proposed spur track for M. Vonsen Company) 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 three (3) 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) Nothing in this order shall be construed as an authori-

zation by this Commission for the construction of a track in such a manner as will be contrary to any of the provisions of General Order No. 26-a of this Commission.

(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.

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

Dated at San Francisco, California, this 18<sup>th</sup> day of August, 1925.

CL Seavey  
George D. Squires  
Leon Whitell  
Commissioners.