

Decision No. 15826.

ORIGINAL

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
Bailey Avenue and across Fischer
Avenue in the vicinity of Coyote,
County of Santa Clara, State of
California.

Application No. 11740.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 25th day of September, 1925, asking for authority to construct a drill track at grade across Bailey Avenue and Fischer Avenue in the vicinity of Coyote, County of Santa Clara, State of California, as hereinafter set forth. The necessary franchise or permit (Order dated September 8, 1925) has been granted by the Board of Supervisors of said County for the construction of said crossings at grade. A public hearing having been held in the matter of Application No. 11347 covering the construction of a spur track over the State Highway in the immediate vicinity of the crossings proposed herein at which hearing matters pertaining to the within application were considered and it appearing to the 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 Avenues 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 Southern Pacific Company to construct a drill track at grade across Bailey Avenue and Fischer Avenue in the County of Santa Clara, State of California, as follows:

BAILEY AVENUE - Crossing No. 64 A&B.

Beginning at a point on the northerly line of a road distant northeasterly thereon 13 feet from the center line of the Southern Pacific Railroad Company's main track at Engineer's Survey Station 712 + 143; thence in a southeasterly direction parallel to and distant easterly at right angles 13 feet from the center line of said main track a distance of 50 feet to a point on the southerly line of said road.

FISCHER AVENUE - Crossing No. 64 G & E.

Beginning at a point on the northerly line of a road distant northeasterly thereon 13 feet from the center line of the Southern Pacific Railroad Company's main track at Engineer's Survey Station 748 + 843; thence in a southeasterly direction parallel to and distant easterly at right angles 13 feet from the center line of said main track, a distance of 35 feet to a point on the southerly line of said road;

and as shown by the map (Coast Division Drawing 15454) 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 substantially in accordance with Standard No. 2, as specified in General Order No. 72 of this Commission and shall be constructed of a width to conform to those portions of said roads now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding ten (10) per cent; 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) An automatic flagman shall be installed and maintained at the sole expense of applicant for the protection of the crossings of said roads with the main line track of applicant, said crossings being adjacent to the crossings herein authorized. Said automatic flagman shall be of a type and installed in accordance with plans or data approved by the Commission.

(4) Nothing in this order shall be construed as an authorization 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.

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

(6) 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.

(7) 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.

November
Dated at San Francisco, California, this 31st day of
November, 1925.

H. B. de la
Chavez
George D. Squires

Leon Whitell 106
Commissioners.