

Decision No. 15937

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 "C" Street, in the City of Brawley, County of Imperial, State of California.

Application No. 12483.

BY THE COMMISSION:

**ORIGINAL**

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 29th day of January, 1926, asking for authority to construct a spur track at grade across "C" Street, in the City of Brawley, County of Imperial, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution, dated January 25, 1926) has been granted by the Board of Trustees of said City for the construction of said crossing at grade. 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 point mentioned in this application with said "C" 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 Southern Pacific Company to construct a spur track at grade across "C" Street, in the City of Brawley, County of Imperial, State of California, as follows:

Beginning at a point in the northerly line of "C" Street, distant westerly thereon 79 feet, more or less, from the northeasterly prolongation of the northwesterly line of Ninth Street; thence southwesterly along a curved line, concave to the right and having a radius of 818.64 feet, a distance of 63 feet, more or less, to end of curve; thence continuing southwesterly tangent to last described curve, a distance of 20 feet, more or less, to a point in the southerly line of "C" Street, distant westerly thereon 77 feet, more or less, from the southwesterly corner of Ninth and "C" Streets.

and as shown by the map (L.A.Div'n. Drwg. F-9708-Sheet 1 of 2) 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 equal or superior to type shown as Standard No. 1, as specified in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said "C" Street now graded, with the tops of rails flush with the roadway, 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 5<sup>th</sup> day of February, 1926.

H. T. Brundage  
C. Seavel  
Ernest Deeds  
Leon Whitell

Commissioners.