

Decision No. 16870.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
the City of Monterey for an order
authorizing a street crossing at
grade across the tracks and right
of way of the Southern Pacific Com-
pany at the intersection of its
tracks and Figueroa Street in said
City of Monterey, California.

Application No. 12,827.

BY THE COMMISSION:

O R D E R

The City Council of the City of Monterey, County of Monterey, State of California, filed the above-entitled application with this Commission on the 8th day of May, 1926, asking for authority to construct a public street at grade across the tracks of Southern Pacific Company in said city, as herein- after set forth. Said Southern Pacific Company has signified by letter that it has no objection to the construction of said crossing 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 a grade separation or to avoid a grade crossing with said tracks at the point mentioned in this Application, 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 City Council of the City of Monterey, County of Monterey, State of California,

to construct an extension of Figueroa Street at grade across the tracks of Southern Pacific Company as shown by the map (Exhibit "A") attached to the Application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of said crossing up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than forty (40) feet and at an angle of eighty-five (85) degrees to the railroad and with grades of approach not greater than one per cent; shall be constructed substantially in accordance with Standard No. 2 as specified in General Order No. 72 of this Commission, shall be protected by suitable crossing signs and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) The existing house track switch shall be removed from the limits of said crossing at the expense of applicant but applicant shall not be assessed with the cost of any additional track or railroad facilities or with the cost of any betterment to existing railroad facilities which may be incurred in connection with the removal of said switch.

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

the installation of said crossing.

(5) 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.

(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 4th day of June, 1926.

H. R. Bourdige

C. Seaver

Leon Whitely

Commissioners.