

Decision No. 16901

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Matter of Application of the San Diego and Arizona Railway Company to construct an industrial spur track across Sampson Street and across Colton Avenue in the City of San Diego, California.

Application No. 12,887.

BY THE COMMISSION:

O R D E R

ORIGINAL

San Diego and Arizona Railway Company, a corporation, filed the above-entitled application with this Commission on the 27th day of May, 1926, asking for authority to construct a spur track at grade across Sampson Street and at grade across Colton Avenue in the City of San Diego, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 10,552) has been granted by the Common Council of said City of San Diego for the construction of said crossings 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 grade separations, or to avoid grade crossings at the points mentioned in this application with said Sampson Street and Colton Avenue 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 San Diego and Arizona Railway Company

to construct a spur track at grade across Sampson Street and at grade across Colton Avenue in the City of San Diego, County of San Diego, State of California, as follows:

Commencing at a point on Sampson Street located N 39° 20' E, 34.98 feet, and S 34° 42' E, 6.39 feet from the southerly corner of Block 80 of San Diego Land and Town Company Addition, said point being also located in the center of the side track of the San Diego and Arizona Railway Company at Engr. Survey Station 1+51.14 equals 0+00 point of switch of the following described center line of proposed spur track to serve Block 53 of said Land and Town Company Addition; thence S 31° 48' E, 62.78 feet; thence S 31° 06' E, 7.33 feet; thence on a curve concave to the right with a radius of 458.6 feet; a distance of 79.6 feet; thence S 21° 09' E, 14.94 feet; thence on a curve concave to the left with a radius of 458.6 feet; a distance of 236.23 feet; thence S 50° 40' E running parallel with, and 9.5 feet southwesterly, from the northeasterly side of said Block 53 a distance of 276.18 feet to the northwest line of Sicard Street,

and as shown by the map (S-271) attached to the application; said crossings to be constructed subject to the following conditions, namely:

(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 equal or superior to type shown as Standard No. 2, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to those portions of said streets 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 suitable crossing signs 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 crossings.

(4) 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.

(5) 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 12<sup>th</sup> day of June, 1926.

Commissioners.