

Decision No. 16916

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 side track across Cleveland Avenue in the vicinity of Santa Rosa, County of Sonoma, State of California.

ORIGINAL

Application No. 12902.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 2nd day of June, 1926, asking for authority to construct a side track at grade across Cleveland Avenue in the vicinity of Santa Rosa, County of Sonoma, State of California, as hereinafter set forth. The necessary franchise or permit (dated May 12, 1926) has been granted by the Board of Supervisors of said County of Sonoma 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 Cleveland 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 Southern Pacific Company to construct a spur track at grade across Cleveland Avenue, in the vicinity of Santa Rosa, County of Sonoma, State of California, as follows:

Beginning at a point in the westerly line of Cleveland Avenue 32 feet southeasterly measured at right angles from the northwesterly line of the Southern Pacific Railroad Company's right of way; thence northeasterly, parallel to the said northwesterly right of way line and its production across Cleveland Avenue at a uniform distance of 32 feet southeasterly therefrom, to a point in the easterly line of Cleveland Avenue 32 feet southeasterly measured at right angles from the northwesterly line produced southwesterly of the Southern Pacific Railroad Company's right of way, being the center line of a track across Cleveland Avenue.

and as shown by the map (Western Division Drawing S-280, Sheet 5) attached to the application; said crossing to be constructed subject to the following conditions, namely:

(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. 2, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said street now graded, with the tops of rails at same elevation as main line rails and 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 14th day of June, 1926.

H. B. Prudig

A. Seavey

Leon Whitely

Commissioners.