

Decision No. 17007

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 side track across Pleasant Street, in the City of San Jose, County of Santa Clara, State of California.

ORIGINAL

Application No. 12944.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 15th day of June, 1926, asking for authority to construct a side track at grade across Pleasant Street in the City of San Jose, County of Santa Clara, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 3011) has been granted by the City Council of said City of San Jose 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 Pleasant 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 side track at grade across Pleasant Street, in the City of San Jose, County of Santa Clara, State of California, as follows:

Beginning at a point on the southwesterly line of Pleasant Street, distance southeasterly thereon 108 feet more or less from the southerly line of Bassett Street, thence in an easterly direction on a curve concave to the left and crossing Pleasant Street to a point on the northeasterly line of Pleasant Street, distant southeasterly thereon 118 feet more or less from the southerly line of Bassett Street.

and as shown by the map (Coast Div'n. Dwg. 14675) 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 without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding two (2) 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 25th day of June, 1926.

H. B. Rounding
Chairman
Board of
Examiners
of
the
State

Commissioners.