

Decision No. 17419

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 proposed spur track across Spence Street, in the City of Monterey, County of Monterey, State of California.

ORIGINAL

Application No. 13201.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 25th day of September, 1926, asking for authority to construct a spur track at grade across Spence Street in the City of Monterey, County of Monterey, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 2359) has been granted by the City Council of the 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 Spence 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 Spence Street, in the City of Monterey, County of Monterey, State of California, as follows:

Beginning at a point on the south line of Spence Street, said point being distant easterly 22+ feet from the center line of Southern Pacific Railroad main tracks and 70+ feet from the easterly line of Foam Street; thence running northwesterly across Spence Street to a point on the north line of Spence Street, said point being distant easterly 28+ feet from the center line of Southern Pacific Railroad tracks and 75+ feet from the easterly line of Foam Street;

and as shown by the map (Coast Division Drawing 23122) 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 six (6) 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 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 1st day of October, 1926.

H. B. Bondage

W. S. Beatty

Leon White

Commissioners.