

Decision No. 17518

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 four (4) grade crossings between San Luis Obispo and Hadley Tower, in the County of San Luis Obispo, State of California.

ORIGINAL

Application No. 13013.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 8th day of July, 1926, asking for authority to construct a second main line track at grade across four county roads in the vicinity of San Luis Obispo and Edna, County of San Luis Obispo, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution, dated July 7th, 1926) has been granted by the Board of Supervisors of said County 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 roads 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 second main line track at grade across Orcutt Road near San Luis Obispo and across three county roads in the vicinity of Edna, County of San Luis Obispo, State of California, as follows:

No. 1 - Orcutt Road:

Beginning at a point in the northerly line of Orcutt Road approximately 435 ft. easterly from east line of road leading to Union Oil plant and 13 ft. westerly at right angles from existing main track S.P.R.R.; thence southeasterly and crossing Orcutt Road to a point on the southerly line of Orcutt Road 13 ft. westerly from the main track.

No. 2 - Branch County Road: .8 mile north of Edna Station.

Beginning at a point on the northerly line of Branch County Road 150 ft. more or less from its intersection with easterly line of main County Road leading to Edna and 13 ft. westerly at a right angle from existing track of S.P.R.R.; thence southerly and crossing County Road parallel to existing track to a point on the Southerly line of Branch County Road.

No. 3 - Main County Road: .6 mile north of Edna Station.

Beginning at a point on the northeasterly line of County Road leading to Edna 13 ft. westerly at a right angle from existing main track S.P.R.R.; thence southerly and crossing County Road parallel to main track S.P.R.R. to a point in the southwesterly line of County Road.

No. 4 - County Road: .3 mile south of Edna.

Beginning at a point in the northwesterly line of County Road leading south from Edna and 13 ft. southwesterly at a right angle from existing main track S.P.R.R.; thence southeasterly and crossing County Road parallel to main track to a point in the southerly line of County Road;

and as shown by the map (Coast Division Drawing 23057, Sheets 3, 4, 5 and 6) 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 substantially in accordance with Standard No. 3 in General Order No. 72 of this Commission and shall be constructed of a width to conform to those portions of said roads now graded, with the tops of rails flush with the roadway or pavement, and with grades of approach not exceeding three (3) per cent at crossings numbered 1, 2 and 3, in above description,

and five (5) per cent at crossing numbered 4 in above description; 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) An automatic flagman shall be installed and maintained for the protection of each of said crossings. Said automatic flagman shall be of a type and installed in accordance with plans or data approved by the Commission.

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

(5) 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.

(6) 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 21st day of October, 1926.

H. B. Brundage

C. S. Casey

Leon Whitell

Thos. S. Rowlett

Commissioners.