

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
The Atchison, Topeka and Santa Fe)
Railway Company, a corporation, for)
authority to construct a spur track) Application No. 13306.
in California Street, between Laurel)
and Juniper Streets, in the City of)
San Diego, State of California.)

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 8th day of November, 1926, asking for authority to construct a spur track at grade across a portion of California Street between Laurel and Juniper Streets, in the City of San Diego, County of San Diego, State of California, as hereinafter set forth. A franchise or permit (Ordinance No. 58 (New Charter) has been granted on November 11th, 1880, by the Board of Trustees of said City of San Diego, which covers 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 California 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 The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across a portion of California Street, between Laurel and Juniper Streets, in the City of San Diego,

County of San Diego, State of California, at the location hereinafter particularly described and as shown by the map (Div'n. Dwg. No. L-5-8310) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the center line of The Atchison, Topeka and Santa Fe Railway Company's main track 1.90 feet northwesterly from the intersection of the southern line of Laurel Street and the center line of said Main Track, being 25.0 feet westerly from the eastern line of California Street; thence 100.0 feet southeasterly on a tangent curve concave to the northeast and having a radius of 942.291 feet; thence 75.67 feet southeasterly on a compound curve concave to the northeast and having a radius of 573.686 feet; thence 28.48 feet on a tangent to a point on the eastern line of California Street, distant 200.22 feet southeasterly from the southeastern corner of said Laurel and California Streets.

The above crossing shall be identified as Crossing No. 2-266.62-S.

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 so constructed that grades of approach not exceeding two (2) per cent will be feasible in the event that the construction of roadway along said California Street shall hereafter be authorized and so that said grade crossing may 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) This order is made upon the express condition that California Street is not now actually constructed and open to travel at the point of crossing, and said order shall not be deemed an auth-

orization for the construction of an opening of said street to public use across said railroad track.

(5) 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.

(6) 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 2^d day of December, 1926.

H. B. Brundage
A. Searles
Ernest S. ...
Leon ...
Thos. ...

Commissioners.