

Decision No. 17898.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

**ORIGINAL**

Petition for Permit to Cross Right-of-Way and Railroad Tracks of Southern Pacific Company at Beresford, San Mateo County, California.

Application No. 13,459.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of San Mateo, State of California, filed the above entitled application with this Commission on the 11th day of January, 1927, asking for authority to construct a public street known as Broadway at grade across the tracks of Southern Pacific Company, at the station of Beresford, as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the construction of said crossing at grade, and 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 with said tracks at the point mentioned in this application, 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 Board of Supervisors of the County

of San Mateo, State of California, to construct Broadway at grade across the tracks of Southern Pacific Company at the location as shown by the map attached to the application.

Said crossing shall be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than fifty (50) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than two (2) per cent; shall be constructed substantially in accordance with Standard No. 3-C as specified in General Order No. 72 of this Commission; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) Two automatic flagmen shall be installed and maintained for the protection of said crossing. Said automatic flagmen shall be of a type and installed in accordance with data approved by the Commission. The cost of installation and maintenance of said automatic flagmen shall be borne by Southern Pacific Company.

(4) All trees between the tracks of said Southern Pacific Company and the State Highway for a distance of three hundred (300)

feet on both sides of said crossing shall be removed at the expense of the applicant.

(5) Trees located within right-of-way of said Southern Pacific Company located approximately four hundred and fifty (450) feet northerly from the crossing and approximately seventy-five (75) feet westerly of the tracks of said railroad shall be removed at the expense of the applicant.

(6) The existing public crossing of Laurel Avenue located approximately nine hundred and fifty (950) feet south of crossing herein granted shall be legally abandoned and effectively closed to public use and travel.

(7) The existing private crossing located approximately four hundred and fifty (450) feet south of the crossing herein granted shall be abandoned and effectively closed.

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

(9) 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.

(10) 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 12<sup>th</sup> day of January, 1927.

Frank J. [unclear]

H. B. [unclear]

C. [unclear]

Leon O. [unclear]

Commissioners.