

ORIGINAL

Decision No. 18299.

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 spur track across County Road in the vicinity of Gonzales, County of Monterey, State of California.

Application No. 13729.

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 April, 1927, asking for authority to construct a spur track at grade across County Road in the vicinity of Gonzales, County of Monterey, State of California, as hereinafter set forth. The necessary franchise or permit has not been regularly granted by the Board of Supervisors of said County for the construction of said crossing at grade, but applicant has filed a letter, signed by four members of said Board, stating that such permit would be granted. 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 County Road 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 County Road in the vicinity of Gonzales, County of Monterey, State of California, at the location hereinafter particularly described and as shown by the map (Coast Division Drawing 23342) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the Northerly line of County Road said point being one-hundred (100) feet more or less southwesterly from the point of intersection of the northerly line of County Road produced with the westerly line of State Highway produced; thence in a southeasterly direction across said County Road for a distance of sixty-two (62) feet more or less to a point in the southerly line of County Road, said point being distant southwesterly one-hundred and one (101) feet more or less from the intersection of the southerly line of County Road produced with the westerly line of State Highway.

The above crossing shall be identified as Crossing No. E-135.3.

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. 3, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said road now graded, with the tops of rails flush with the pavement, 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) Applicant shall, within thirty (30) days submit a certified copy of a permit from the County of Monterey for the construction of said crossing at grade, and in the event that this is not done, the authorization herein granted for the installation of said crossing shall lapse and shall thereupon become null and void and of no further force and effect.

(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 29th day of April, 1927.

Ernesto
H. B. ...
C. ...
L. ...

Commissioners.