

Decision No. 18343

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

Matter of application of
SAN DIEGO AND ARIZONA RAILWAY COMPANY,
a corporation, for authority to
install a Railway Industrial Spur
Track on N Street, San Diego,
California, to serve a warehouse to
be constructed.

Application No. 13598.

BY THE COMMISSION:

O R D E R

San Diego and Arizona Railway Company, a corporation, filed the above-entitled application with this Commission on the 11th day of March, 1927, asking for authority to construct a spur track at grade across a portion of "N" Street in the City of San Diego, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 10951) has been granted by the City Council of said 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 "N" 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 San Diego and Arizona Railway Company to construct a spur track at grade across a portion of "N" Street in the City of San Diego, County of San Diego, State of California, at the location shown by the map (E - 506 dated 2-2-27) 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, shall be borne by applicant.

(2) Said crossing shall be so constructed that grades of approach not exceeding three (3) per cent will be feasible in the event that the construction of roadway along said "N" 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) 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) Nothing in this order shall be construed as an authorization by this Commission for the construction of a track in such a manner as will be contrary to any of the provisions of General Order No. 26-c of this Commission.

(6) This order is made upon the express condition that "N" Street is not now actually constructed and open to travel at the point of crossing, and said order shall not be deemed an authorization for the construction of an opening of said street to public use across said railroad track.

(7) 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 13th day of

May, 1927.

Frank West
H. B. Brundage
C. C. Beatty
Leon Whitell
John S. Ricketts
Commissioners.