

ORIGINAL

Decision No. 18519.

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 two spur tracks across Campbell Avenue and one spur track across the intersection of Campbell Avenue and Bellomy Street, in the City of Santa Clara, County of Santa Clara, State of California.

Application No. 13848.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 7th day of June, 1927, asking for authority to construct two spur tracks at grade across Campbell Avenue and one spur track across the intersection of Campbell Avenue and Bellomy Street in the City of Santa Clara, County of Santa Clara, State of California, as hereinafter set forth. The necessary permit (dated April 21, 1927) has been granted by the Board of Trustees of said City 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 Campbell Avenue and Bellomy 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 Southern Pacific Company to construct its tracks at grade across Campbell Avenue and Bellomy Street in the City of Santa Clara, County of Santa Clara, State of California, at the locations hereinafter particularly described and as shown by the map (Coast Division Drawing No. 15547) attached to the application.

#### DESCRIPTION OF CROSSINGS.

Beginning at a point on the northeasterly line of Campbell Avenue, said point being distant southeasterly 28 feet more or less from the intersection of the said northeasterly line of Campbell Avenue with the southeasterly line of Bellomy Street produced; thence crossing Campbell Avenue in a southwesterly direction a distance of 70 feet more or less to a point in the southwesterly line of Campbell Avenue, said point being distant southeasterly thereon 20 feet more or less from the southeasterly line of Bellomy Street produced.

Beginning at a point on the northeasterly line of Campbell Avenue, said point being distant southeasterly 41 feet more or less from the intersection of the said northeasterly line of Campbell Avenue with the southeasterly line of Bellomy Street produced; thence crossing Campbell Avenue in a southwesterly direction a distance of 70 feet more or less to the southwesterly line of Campbell Avenue.

Beginning at a point on the northeasterly line of Campbell Avenue, said point being distant northwesterly thereon 210 feet more or less, from the intersection of the said northeasterly line of Campbell Avenue with the northwesterly line of Bellomy Street produced; thence crossing Campbell Avenue and the intersection of Campbell Avenue with Bellomy Street in a southeasterly direction a distance of 280 feet more or less to a point in the southeasterly line of Bellomy Street; said point being distant southwesterly thereon 9 1/2 feet from the southwesterly line of Campbell Avenue.

The above crossings of Campbell Avenue shall be identified as Crossing No. EM-44.92-C and the above crossing of the intersection of Campbell Avenue and Bellomy Street shall be identified as Crossing No. EM-44.57-C.

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 shall be borne by applicant.

(2) Said crossings shall be so constructed that grades of approach not exceeding four (4) per cent will be feasible in the event that the construction of roadway along said Campbell Avenue or Bellomy Street shall hereafter be authorized and so that said grade crossings 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 crossings.

(4) 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.

(5) This order is made upon the express condition that Campbell Avenue and Bellomy Street are not now actually constructed and open to travel at the respective points of crossing, and said order shall not be deemed an authorization for the construction of and opening of said streets to public use across said railroad tracks.

(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 14<sup>th</sup> day of June, 1927.

Emmott  
J. B. Bourdage  
A. Seaver  
Leon Whittell  
Paul R. Rutter

Commissioners.