

ORIGINAL

Decision No. 18670 . . .

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 siding across Twenty-fourth Street, in the City of Newport Beach, County of Orange, State of California.

Application No. 13,555.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 24th day of February, 1927, asking for authority to construct a side track at grade across 24th Street in the City of Newport Beach, County of Orange, State of California, as hereinafter set forth. The Board of Trustees of said City has stated by letter that the indenture regarding a crossing at this location made with W.G. McAdoo, Director General of Railroads, Southern Pacific Railroad, on February 24, 1919, is now effective. 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 24th 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 a side track at grade across 24th Street in the City of Newport Beach, County of Orange, State of California, at the location hereinafter particularly described and as shown by the map (L.A. Div. Dwg. #F-9608 revised February 8, 1927) attached to the application.

Description of Crossing.

The center line of said track to be parallel with and distant southerly 13 feet at right angles from the center line of the Southern Pacific Railroad Company's main track as located in and across Twenty-fourth Street in the City of Newport Beach, Orange County, California.

The above crossing shall be identified as Crossing No. BK-527.9.

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 substantially in accordance with Standard No. 3, in General Order No. 72 of this Commission, of a width to conform to that portion of said street now graded, with the tops of rails at same elevation as main line rails and flush with the pavement, and with grades of approach not exceeding two (2) per cent; and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) No train, engine, motor, or car shall be operated over said crossing unless said train, engine, motor, or car shall be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

(4) 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 G.O. No. 26-C of this Commission.

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

(6) 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.

(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 July, 1927.

Francisco

Clarence

Leon Whitell

Commissioners.