

ORIGINAL

Decision No. 18671

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Matter of Application of San Diego and Arizona Railway Company, a corporation, for authority to abandon part of an industrial spur track serving Packing House of Chula Vista Citrus Association, and to construct a new industrial spur track at grade across Third Avenue and K Street in the City of Chula Vista.

Application No. 13717.

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 twenty-first day of April, 1927, asking for authority to abandon and remove certain tracks in and along Third Avenue and across K Street, and to construct a spur track at grade across a portion of Third Avenue and at grade across K Street, in the City of Chula Vista, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 165) 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 portion of Third Avenue and said K 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 Third Avenue and at grade across K Street, in the City of Chula Vista, County of San Diego, State of California, at the location hereinafter particularly described and as shown by the map (E-88) attached to the application.

DESCRIPTION OF CROSSING

Commencing at a point in the center of Third Avenue 193.1 feet northerly of the north line of K Street, being Engineers Survey Station 442+43.3, being station 0+00 of said proposed spur track on the center line of the track on Third Avenue; thence on a curve to the left and tangent to said center line of Third Avenue with a radius of 382.2 feet, a distance of 101.9 feet; thence on tangent 15.1 feet; thence on a curve to the right with a radius of 382.2 feet, a distance of 101.9 feet to Engineers Survey Station 2+18.9 being station 4+22.1 on the present spur track adjacent to the said packing house.

The above crossing shall be identified as Crossing No. 36 B - 5.0 - 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 in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed substantially in accordance with Standard No. 3, in General Order No. 72 of this Commission and shall be constructed of a width to conform to those portions of said streets now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding two (2) per cent; shall be protected by a standard No. 1 crossing sign, as specified in General Order No. 75 of this Commission, and shall in every

way be made safe for the passage thereover of vehicles and other road traffic.

(3) No engine, motor, or car shall be operated over said crossings without first having been brought to a stop and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

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

(5) 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.

(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 13th day of July, 1927.

Commissioners.