

Decision No. 18629.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construc-
tion at grade of a spur track
across State Street in the City of
El Centro, County of Imperial,
State of California.

Application No. 13852.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 10th day of June, 1927, asking for authority to construct a spur track at grade across State Street in the City of El Centro, County of Imperial, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 306) has been granted by the Board of Trustees 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 State 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 spur track at grade across State Street in the City of El

Centro, County of Imperial, State of California, at the location hereinafter particularly described and as shown by the map (L.A. Div. Dwg. F 9897) attached to the application.

Description of Crossing.

Beginning at a point in the Southerly line of State Street, distant westerly thereon 10 feet, more or less, from its intersection with the Inter-California Railway Company's Westerly right-of-way line; thence northeasterly along a 10° curve, concave to the southwest, 43 feet, more or less, to end of curve; thence northwesterly, tangent to last described curve, 40 feet, more or less, to a point in the northerly line of State Street, distant westerly thereon 15 feet, more or less, from its intersection with aforesaid westerly right-of-way line.

The above crossing shall be identified as Crossing No. BN-699.53-C.

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 should be so constructed that grades of approach not exceeding two (2) per cent shall be feasible in the event that the construction of roadway along said State 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) This order is made upon the express condition that State 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.

(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 13th day of July, 1927.

Ernest C. ...

Al ...

Leon ...

Commissioners.