

Decision No. 18684.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of The Atchison, Topeka and Santa
Fe Railway Company, a corporation,
for authority to construct an ex-
tension of the 8th Street team track
across 8th Street, "N" Street and a
portion of 9th Street in the City
of San Diego, County of San Diego,
State of California.

Application No. 13,876.

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 20th day of June, 1927, asking for authority to construct an extension of its 8th Street team track at grade across 8th Street, a portion of 9th Street and at grade across "N" Street, all in the City of San Diego, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit (Ord. No. 58, new charter) 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 streets 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 The Atchison, Topeka and Santa Fe Railway Company to extend a team track at grade across 8th Street, a portion of 9th Street and at grade across "N" Street, in the City of San Diego, County of San Diego, State of California, at the locations hereinafter particularly described and as shown by the map (Div. Engr. Dwg No. I-4-9145) attached to the application.

DESCRIPTION OF CROSSINGS

EIGHTH STREET:

Beginning in the west line of 8th Street distant 223.35 feet southerly thereon from the south line of Imperial Avenue; then southeasterly 3.69 feet on a curve concave to the southwest having a radius of 2878.93 feet the tangent of said curve of its intersection with the west line of 8th Street makes an angle of 54 degrees 54 minutes 20 seconds to the northwest, with said street line; thence southeasterly 53.88 feet on a line tangent to said curve; thence southeasterly 40.28 feet on a tangent curve concave to the southwest, having a radius of 1432.69 feet to a point in the east line of 8th Street distant 20.06 feet northerly thereon from the north line of N Street.

The crossing of 8th Street shall be identified as Crossing No. 2-268.68.

"N" STREET:

Beginning at a point in the northern line of "N" Street distant easterly 26.45 feet thereon from the intersection of said northern line and the eastern line of 8th Street; thence southeasterly 127.32 feet along a curve southwesterly having a radius of 2879.93 feet to a point in the southern line of said "N" Street distant westerly 75.02 feet thereon from the intersection of said south line of "N" Street and the western line of 9th Street.

NINTH STREET:

Beginning in the west line of 9th Street distant 65.96 feet southerly thereon from the south line of

"N" Street; thence 91.16 feet southeasterly on a curve concave to the southwest having a radius of 2879.93 feet to point of compound curve; thence continuing southeasterly 13.0 feet on a curve concave to the southwest having a radius of 603.805 feet to a point in the south end of 9th Street distant 5.32 feet westerly along the south end of 9th Street from the east line of 9th Street.

Said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing of 8th Street 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 equal or superior to type shown as Standard No. 2, in General Order No. 72 of this Commission and shall be constructed a width to conform to that portion of said 8th Street now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding two (2) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Said crossings shall be so constructed that grades of approach not exceeding two (2) per cent will be feasible in the event that the construction of roadway along said Ninth Street and "N" 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.

(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) This order is made upon the express condition that said Ninth Street and "N" 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 an opening of said streets to public use across said railroad tracks.

(7) 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 21st day of July, 1927.

Emmuel

Alseamy

Thos. Shovett

Commissioners.