

Decision No. 18841 .

**ORIGINAL**

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 spur track across a portion of, and in and along, Ocean Avenue, in the City of Pacific Grove, County of Monterey, State of California.

Application No. 13958.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 28th day of July, 1927, asking for authority to construct a spur track at grade across a portion of Ocean Avenue and at grade across Dewey Avenue, in the City of Pacific Grove, County of Monterey, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 3001) has been granted by the City Council 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 Ocean Avenue and said Dewey Avenue 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 a portion of Ocean Avenue and at grade across Dewey Avenue in the City of Pacific Grove, County of Monterey, State of California, at the location hereinafter particularly described and as shown by the map (Drawing 20273) attached to the application.

#### DESCRIPTION OF CROSSING.

Beginning at a point on the northeasterly line of Ocean Avenue, said point being distant northwesterly thereon 170 feet more or less from the northwesterly line of Dewey Avenue produced northeasterly; thence in a southeasterly direction curving to the right and left crossing the intersection of Ocean Avenue and Dewey Avenue for a distance of 210 feet more or less to a point on the southeasterly line of Dewey Avenue produced, said point being distant northeasterly thereon 10 feet from the southwesterly line of Ocean Avenue; thence in a southeasterly direction parallel to and distant northeasterly at right angles 10 feet from the southwesterly line of Ocean Avenue, a distance of 693 feet more or less to a point on the northwesterly line of Eardley Avenue produced northeasterly.

The above crossings shall be identified as Crossing No. EE-127.32.

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 equal or superior to type shown as Standard No. 2, in General Order No. 72 of this Commission and shall be constructed of a width to conform to those portions of said avenues now graded, with the tops of rails flush with the roadway, and with grades of approach conforming with the street grades; shall be protected

by suitable crossing signs and shall in every way 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) 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 29<sup>th</sup> day of September, 1927.

Ernest W. Rast  
Osborn  
Leon S. White  
Frank R. Smith  
M. J. Carr  
(Commissioners)