

Decision No. 18990.

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 install a 180-foot  
track extension to cross Maple Street,  
in the City of San Diego, County of  
San Diego, State of California.

**ORIGINAL**

Application No. 14123.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 5th day of October, 1927, asking for authority to construct a side track at grade across Maple Street, in the City of San Diego, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 58, dated November 11, 1880,) 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 Maple 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 The Atchison, Topeka and Santa Fe Railway Company to construct a side track at grade across Maple

Street, in the City of San Diego, County of San Diego, State of California, at the location hereinafter particularly described and as shown by the map (marked Exhibit "A") attached to the application.

Description of Crossing.

Beginning in the northwestern line of Maple Street, distant southwesterly 197.0 feet thereon from the northwestern corner of Maple Street and Kettner Boulevard; thence southeasterly 80.0 feet on a direct line, parallel with the center line of said Kettner Boulevard to the southeastern line of said Maple Street.

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 so constructed that grades of approach not exceeding six (6) per cent will be feasible in the event that the construction of roadway along said Maple 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) This order is made upon the express condition that Maple 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 tracks.

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

(5) 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.

(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 3d day of November, 1927.

Edmund J. [Signature]  
[Signature]  
Leon Whitehall

[Signature]

Commissioners.