

Decision No. 19137.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

Matter of the Application of San Diego and Arizona Railway Company, a corporation for authority to install a railway industrial spur track on N Street, San Diego, California, across 31st Street at grade.

Application No. 14198.

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 7th day of November, 1927, asking for authority to construct a spur track at grade across 31st Street at "N" 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. 11381) has been granted by the City Council 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 31st. 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 31st. Street at "N" Street in the City of San Diego, County of San Diego, State of California, at the location shown by the map (E-506) attached to the application.

The above crossing shall be identified as Crossing No. 36D-3.2.

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 constructed equal or superior to type shown as Standard No. 2, in General Order No. 72 of this Commission and shall be constructed without super-elevation and of a width to conform to that portion of said street 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 suitable crossing sign 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 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) 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 23 day of December, 1927.

Edmund G. ...
A. Seaver
Leon ...

Attest
M. J. ...
Commissioners.