

NAW:IR

Decision No. 19419

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 Fern Street, in the City
of Santa Cruz, County of Santa
Cruz, State of California.

Application No. 14390.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 31st day of January, 1928, asking for authority to construct a spur track at grade across Fern Street in the City of Santa Cruz, County of Santa Cruz, State of California, as hereinafter set forth. The necessary franchise or permit 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 Fern 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 Fern Street, in the City of Santa Cruz, County of Santa Cruz, State of California, at the location hereinafter particularly described and as shown by the map (Coast Division Drawing, 23528) attached to the application.

Description of Crossing

Beginning at a point on the northerly line of Fern Street, produced westerly, distant thereon one foot more or less easterly from center line of existing S.P.C.Ry. main track; thence southeasterly and crossing Fern Street to a point on the southerly line thereof produced westerly, distant thereon 4 feet more or less easterly from the center line of the existing main track of the S.P.C. Ry.

The above crossing shall be identified as Crossing No. L-77.65.

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 superelevation and of a width to conform to that portion of said street now graded, with the tops of rails at same elevation as main line rails and flush with the roadway, and with grades of approach not exceeding six (6) 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 28th day of February, 1928.

Leon Whitall

Chas. Seavey

Thos. S. Bennett

M. J. Cunniff

Commissioners.