

ORIGINAL

Decision No. 13655

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

<p>In the matter of application of Southern Pacific Company for an order authorizing the construc- tion at grade of spur track across Broadway, in the City of Burlingame, County of San Mateo, State of California.</p>	
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Application No. 14589.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 9th day of April, 1928, asking for authority to construct a spur track at grade across Broadway, in the City of Burlingame, County of San Mateo, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 201) 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 Broadway 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 Broadway in the City of Burlingame, County of San Mateo, State of California, at the location hereinafter particularly described and as shown by the map (Coast Division Draw-

ing 23547) attached to the application.

Description of Crossing

BEGINNING at a point in the Southwesterly prolongation of the Northwesterly line of Broadway, said point being distant 42.0 feet at right angles Northeasterly from the center line of westbound track of the Southern Pacific Railroad Company as said track is now laid down and operated, between San Francisco and San Jose; thence Southeasterly parallel to and distant 42.0 feet at right angles Northeasterly from said center line of westbound track to a point in the Southwesterly prolongation of the Southeasterly line of Broadway.

The above crossing shall be identified as Crossing No. EM-15.2.

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. 3, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said Broadway 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 suitable crossing signs and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) The existing spur track crossing shown in yellow on the heretofore mentioned map attached to the application shall be removed and roadway restored to conform with adjacent portion

of said Broadway.

(4) Applicant shall, within thirty (30) days thereafter, notify the 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 23rd day of April, 1928.

Leon Whitall

W. A. Lacey

Thomas H. Latta

M. A. Lacey

Commissioners.