

Decision No. 19693

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

<p>In the Matter of Application of the COUNTY OF SAN DIEGO for per- mission to construct a grade crossing on what will be known as an extension of Sixth Street south of Harbor Side across the tracks of the San Diego & Arizona Railway Company.</p>)
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Application No. 14311.

E. A. Hornbeck, for Applicant.

R. G. Dillworth, for San Diego &
Arizona Railway Company.

BY THE COMMISSION:

O P I N I O N

In this application the County of San Diego seeks per-
mission to construct Sixth Street at grade across the tracks of
the San Diego and Arizona Railway Company at Harbor Side, a sub-
division of quarter-section 166, Rancho de la Nacion, located in
the County of San Diego, State of California. A public hearing
was held in San Diego on March 15th, 1928, before Examiner Rowell,
at which time the matter was submitted.

The railway involved is the single track main line of
the San Diego and Arizona Railway, south of San Diego, traffic
over this line varying from two to sixteen passenger trains and
two to six freight trains daily.

It appears that due to industrial development in this territory, the Board of Supervisors of San Diego County have found it necessary to vacate a road leading to an existing crossing over the railway at Seventh Street, approximately 1300 feet south of Sixth Street, thereby destroying the connection at this point between National Avenue, the main north and south thoroughfare, and the county road lying west of the Railway Company's tracks. It is desired to open Sixth Street so as to restore such connection. The nearest existing and usable crossing is at Fifth Street, 1300 feet north of the crossing which is herein sought.

The track is tangent at the crossing and for more than 1000 feet either way and there is no obstruction to view of trains for this distance.

In view of the circumstances as set forth and there being no objection to the proposed crossing, we find that public convenience requires that Sixth Street be constructed at grade across the tracks of the San Diego & Arizona Railway Co.

ORDER

The County of San Diego having filed the above entitled application with the Commission, a public hearing having been held, the Commission being apprized of the facts, and the matter being under submission and ready for decision,

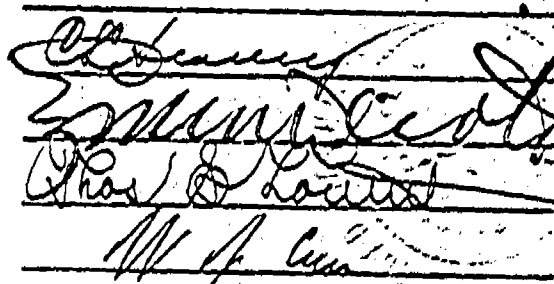
IT IS HEREBY ORDERED that permission and authority be, and the same is hereby, granted to the County of San Diego to construct Sixth Street in the County of San Diego at grade across the tracks of the San Diego & Arizona Railway Company, as shown by the map marked Exhibit "A" and attached to the application. Said crossing shall be identified as Crossing No.36-9.4. Said crossing shall be constructed subject to the following conditions:

1. The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by the applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by the San Diego & Arizona Railway Company.
2. The crossing shall be constructed of a width not less than twenty-four (24) feet, and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than four per cent (4%); shall be constructed substantially in accordance with Standard No.2 as specified in General Order No.72 of this Commission; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.
3. Said crossing of Seventh Street identified as crossing No.36-9.6 shall be legally abandoned and effectively closed to public use and travel.
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.

For all other purposes, the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 2^d day of

May, 1928.


 Commissioners.