

Decision No. 13901.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the construction at grade of a spur track across Front and Cedar Streets and across Cypress and San Mateo Avenues, in the vicinity of Aqua Station, County of San Mateo, State of California.

Application No. 14775.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 11th day of June, 1928, asking for authority to construct a spur track at grade across Front and Cedar Streets and Cypress and San Mateo Avenues in the vicinity of Aqua Station, County of San Mateo, State of California, as hereinafter set forth. The necessary franchise or permit (Order dated June 4, 1928,) has been granted by the Board of Supervisors of said County for the construction of said crossings 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 grade separations or to avoid grade crossings at the points mentioned in this application with said streets and avenues 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 Front and Cedar Streets and Cypress and San Mateo Avenues in the vicinity of Aqua Station, County of San Mateo, State of California, at the locations hereinafter particularly described and as shown by the map (Coast Division Drawing 20337) attached to the application.

DESCRIPTION OF CROSSINGS.

BEGINNING at a point in the northwesterly line of Cypress Ave., approximately 88 ft. northeasterly of the northeasterly line of Front St.; thence southeasterly crossing Cypress Avenue and along Monterey St. to a point in the northwesterly line of Santa Clara Ave., produced, crossing the intersection of San Mateo Ave. and Monterey Ave., said point being 10 ft. southwesterly from the northeasterly line of Monterey Street.

ALSO, BEGINNING at a point in the northwesterly line of Cedar St. approximately 10 ft. northeasterly from the northeasterly line of Front St.; thence southeasterly crossing Cedar St. to a point on the southeasterly line thereof.

ALSO, BEGINNING at a point in the southwesterly line of Front St. approximately 30 ft. southeasterly from the southeasterly line of Spruce St., produced; thence southeasterly and crossing Front St. to a point in the northeasterly line of Front Street.

The above crossings of Front Street and Cedar Street shall be identified as Crossings No. EM-12.80C and EM-12.82C, respectively.

Said crossings to be constructed subject to the following conditions, and not otherwise:

(1) The entire expense of constructing the crossings together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings of Front Street and Cedar Street 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 of a width to conform to those portions of said streets now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding three (3) per cent; shall be protected by Standard No. 1 crossing signs as specified in General Order No. 75 of this Commission and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

(3) Said crossings of Cypress Avenue and San Mateo Avenue shall be so constructed that grades of approach not exceeding three (3) per cent will be feasible in the event that the construction of roadway along said avenues shall hereafter be authorized and so that said grade crossings may be made safe for the passage thereover of vehicles and other road traffic.

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

(5) This order is made upon the express condition that Cypress and San Mateo Avenues are not now actually constructed and open to travel at the respective points of crossing, and said order shall not be deemed an authorization for the construction of an opening of said streets to public use across said railroad track.

(6) If said crossings 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.

(7) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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 19th day of June, 1928.

Leon Whalley
C. J. Spang

Thos. B. Loutin

Commissioners.