

Decision No. 28496.**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  
First Street, in the City of Oxnard,  
County of Ventura, State of California

Application No. 15179.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 5th day of November, 1928, asking for authority to construct a spur track at grade across First Street, in the City of Oxnard, County of Ventura, State of California, as hereinafter set forth. The necessary franchise or permit (dated September 25, 1928) 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 First 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 Southern Pacific Company to construct

a spur track at grade across First Street in the City of Oxnard, County of Ventura, State of California, at the location hereinafter particularly described and as shown by the map (L.A.Div. Drawing D-122) attached to the application.

#### DESCRIPTION OF CROSSING.

Beginning at a point in the southerly line of Lot 109 Ramona Gardens, a part of subdivision 31, Rancho El Rio de Santa Clara O La Colonia, as per map thereof recorded in Book 17, Pages 33 and 34 of Miscellaneous records (maps), records of the County of Ventura, State of California, said southerly line of Lot 109, (also the northerly line of First Street) distant easterly thereon 8.5 feet from the southwesterly corner of said Lot 109; thence southerly at right angles to said northerly line of First Street, a distance of 60.00 feet to a point in the southerly line of said First Street, as shown colored in red on blueprint map of Los Angeles Division, Drawing D-122.

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

(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 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 First Street shall hereafter be authorized and so that said grade crossing may be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall remove the tracks shown in yellow on the map (L.A.Div. Drawing D-122) attached to the application.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the in-

stallation 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 16<sup>th</sup> day of November, 1928.

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*M. ...*  
\_\_\_\_\_ Commissioners