

ORIGINAL

Decision No. 20591.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the petition of the City of Palo Alto for an order granting the privilege of a temporary grade crossing at or near the intersection of Palo Alto Avenue and Alma Street in said City, over the tracks of the Southern Pacific Company.

Application No. 3708.

BY THE COMMISSION:

TENTH SUPPLEMENTAL ORDER

This application was originally filed by the City of Palo Alto, April 29, 1928, requesting authority to construct a temporary crossing at grade across the tracks of Southern Pacific Company at Palo Alto Avenue, near the northerly city limits. The crossing was authorized for a period of two years by the Commission in its Decision No. 5484, dated June 18, 1918. Since that date the time limit for maintenance of this grade crossing has been extended from time to time, the last extension being in the Commission's Ninth Supplemental Order, Decision No. 19408, dated February 25, 1928, in which the time limit was extended to June 30, 1928.

On January 30, 1928, an order was made reopening the proceeding for further hearing and determination and hearings were held before Examiner Rowell at Palo Alto in connection with this and Application No. 14323 of the City of Palo Alto for authority to construct a separation of grades at Embarcadero Road, the two matters being consolidated for the purpose of hearing.

At these hearings it developed that the crossing at Palo Alto Avenue has become an important entrance into the city for traffic to and from the north and it seems desirable to maintain a grade crossing at this point until such time as the traffic now using this crossing is otherwise cared for. It appears, however, that there has been some discussion of a possible separation of grades at the point in San Mateo County about 1000 feet north of the existing grade crossing at Palo Alto, and it appears probable that at some future date such a subway will be constructed.

The City Council of Palo Alto has, by Resolution No. 688, dated August 29, 1928, filed its consent to the closing of the Palo Alto crossing at such time as this grade separation has been constructed, providing said grade separation and a bridge over San Francisquito Creek connecting Alma Street with said underpass are so constructed as to obviate necessity of a grade crossing at Palo Alto Avenue, and, provided, that this Commission make an order continuing the present grade crossing at Palo Alto Avenue until such time as the bridge and underpass are constructed. Southern Pacific Company has also stipulated that it will have no objection to the further maintenance of the temporary crossing until this grade separation is installed. This proposal appears reasonable to the Commission and an order will be entered accordingly.

O R D E R

Good cause appearing,

IT IS HEREBY ORDERED that the time limit for the maintenance of a grade crossing at the intersection of Palo Alto Avenue and Alma Street, over the tracks of Southern Pacific Company

in the City of Palo Alto, County of Santa Clara, heretofore authorized in this proceeding, be and it is hereby removed until further order of this Commission.

In all other respects this Commission's prior decisions in this matter shall remain in full force and effect.

Dated at San Francisco, California, this 13th day of December, 1928.

Leon Whitely

Ed Leary

Ernest

A. M. ...

Commissioners.