

Decision No. 90040

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Matter of the Application of San Diego and Arizona Railway Company, a corporation, for authority to install a railway industrial spur track on Commercial Street, San Diego, California, across 22nd Street at grade.

Application No. 15511.

BY THE COMMISSION:

O R D E R

ORIGINAL

San Diego and Arizona Railway Company, a corporation, filed the above entitled application with this Commission on the 27th day of March, 1929, asking for authority to construct a spur track at grade across Twenty-second and Commercial Streets, in the City of San Diego, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 12218) 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 Twenty-second and Commercial Streets 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 San Diego and Arizona Railway Company to construct a spur track at grade across Twenty-second and Commercial Streets, in the City of San Diego, County of San Diego, State of California, at the location hereinafter particularly described

and as shown by the map (Drawing H 279) attached to the application.

Description of Crossing

Beginning at a point on applicant's Lakeside Branch Line on Commercial Street, distant 160.6 feet from the easterly line of 22nd Street, across 22nd Street at grade to the easterly line of 21st Street diagonally across Commercial Street."

The above crossing shall be identified as a portion of Crossing No. 36D-2.25.

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 constructed equal or superior to type shown as Standard No. 3, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails at same elevation as main line rails and flush with the roadway, and with grades of approach not exceeding two (2) per cent; shall be protected by a Standard No. 1 crossing sign, 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) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) Applicant is hereby authorized to construct said trackage at the location shown by blue-print map No. H-279, attached to the application, as an exemption from requirement of Sec. 2 (c) of General Order No. 26-C.

(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 9th day of April, 1929.

[Signature]

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Commissioners.