

Decision No. 91371.

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 along and across a portion of Wave Street, in the City of Monterey, County of Monterey, State of California.

Application No. 15771.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 2nd day of July, 1929, asking for authority to construct a spur track at grade across Wave Street, in the City of Monterey, County of Monterey, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 2832 C.S.) 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 Wave 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 to Southern Pacific Company to construct a spur track at grade across Wave Street in the City of

Monterey, County of Monterey, State of California, at the location hereinafter particularly described and as shown by the map (Coast Division Drawing No. 14637) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point on the center line of the existing main track of the Southern Pacific Company as same crosses Wave Street, said point being distant southeasterly 365 feet more or less from the southeasterly line of McClellan Avenue and distant easterly 10 feet more or less from the westerly line of Wave Street, thence in a northerly direction and crossing said Wave Street to the easterly line thereof.

The above crossing shall be identified as a portion of Crossing No. EE-126.7.

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. 2, in General Order No. 72 of this Commission and shall be constructed 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 pavement, and with grades of approach not exceeding five (5) 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

