

Decision No. 21700.

ORIGINAL

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 University Avenue,  
in the City of Palo Alto, County  
of Santa Clara, State of California.

Application No. 16033.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 22nd day of October, 1929, asking for authority to construct its spur track at grade across University Avenue in the City of Palo Alto, County of Santa Clara, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 820) 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 Avenue 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 its spur track at grade across University Avenue in the City of Palo Alto, County of Santa Clara, State of California, at the location hereinafter particularly described and as shown by the map (Coast Div'n. Dwg. 23993, Sheet No. 3) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point on the westerly line of University Avenue, distant southerly thereon 83 feet from the southerly line of Alma Street; thence easterly at right angles to said westerly line of University Avenue and crossing University Avenue a distance of 75 feet to a point on the easterly line thereof; thence continuing into private property.

The above crossing shall be identified as a portion of Crossing No. E-30.1.

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 of a width to conform to that portion of said avenue now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding two (2) per cent; and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

(3) Applicant shall remove the track shown in yellow on the map (Coast Div.Dwg.23993, Sheet No.3) attached to the application, in so far as it lies in University Avenue and shall repair the street to conform to the remainder thereof.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation 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 <sup>24th</sup>~~23rd~~ day of October, 1929.

David S. Lott

C. L. ...

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M. A. ...  
Commissioners.