

Decision No. 21813**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 a portion of
Emerson Avenue and across the alley
in Block 56, in the City of Calexico,
County of Imperial, State of California.

Application No. 16094.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 18th day of November, 1929, asking for authority to construct a spur track at grade across a portion of Emerson Avenue and the Alley in Block 56, in the City of Calexico, County of Imperial, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 255, adopted November 5th, 1929) has been granted by the City Council of said city for the construction of said crossings 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 grade separations or to avoid grade crossings at the points mentioned in this application with said Emerson Avenue and Alley in Block 56, 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 a portion of Emerson Avenue and Alley in Block 56, in the City of Calexico, County of Imperial, State of California, at the locations hereinafter particularly described and as shown by the map (Los Angeles Div. Drawing B-358, Sheet 1) attached to the application.

DESCRIPTION OF CROSSINGS

Beginning at a point in the northeasterly line of the Inter California Railway's station reservation, also being the westerly extremity of Third Street, distant northerly thereon 4 feet, more or less, from the south line of Third Street, thence southeasterly in a direct line 4.5 feet, more or less, to a point in the south line of Third Street, distant westerly thereon 47 feet, more or less, from its intersection with the southerly prolongation of the easterly line of Emerson Avenue.

Beginning at a point in the north line of said east and west alley, distant westerly thereon 137 feet, more or less, from the west line of the north and south alley in block 56; thence southeasterly in a direct line, a distance of 20 feet, more or less, to a point in the south line of said east and west alley, distant westerly thereon 131 feet, more or less, from the west line of said north and south alley.

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

(1) The entire expense of constructing the crossings, together with the cost of their 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 of Emerson Avenue 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 flush with the roadway, and with grades of approach not exceeding four (4) per cent; the crossing of Emerson Avenue shall be protected by Standard No. 1 crossing sign now in place 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) This order is made upon the express condition that Alley in Block 56 is not now actually constructed and open to travel at the respective point of crossing, and said order shall not be deemed an authorization for the construction of an opening of said alley to public use across said railroad track.

(4) Applicant shall within thirty (30) days thereafter notify this Commission, in writing, of the completion of the installation of said crossings.

(5) If said crossings 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 crossings 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 21st day of November, 1929.

Thomas D. Lewis
Chas. A. Sawyer
Ernest J. [unclear]