

Decision No. 22059.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of The Atchison, Topeka and Santa  
Fe Railway Company, a corporation,  
for authority to construct a spur  
track across Beardsley Street, in  
the City of San Diego, County of  
San Diego, State of California.

Application No. 16184.

**ORIGINAL**

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 26th day of December, 1929, asking for authority to construct a spur track at grade across Beardsley Street in the City of San Diego, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit (Charter Ordinance No. 58, dated November 11th, 1880) has been granted by the Board of Trustees 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 Beardsley Street and that this application should be granted subject to the conditions herein-

after specified, therefore

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across Beardsley Street 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 (Division Engineer's Drawing No. L-5-10741) attached to the application.

DESCRIPTION OF CROSSING

"Beginning at a point in the northwestern line of Beardsley Street distant 183± feet northeasterly from the intersection of the prolongation of said street line with the official mean high tide line and 27.25 feet southwesterly from the intersection of said street line with the center line of the Railway Company's main track; thence southeasterly on a curve concave to the northeast, having a radius of 573.686 feet, to a point in the southeastern line of said street, distant 170± feet northeasterly from the intersection of the prolongation of said street line with said official mean high tide line and 33.88 feet southwesterly from the intersection of said street line with the center line of said Railway Company's main track."

The above crossing shall be identified as a portion of Crossing No. 2-269.3.

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 without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails at an elevation as shown on the map attached to the application and flush with the roadway, and with grades of approach not exceeding six (6) 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) 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.

(5) 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 29<sup>th</sup> day of January, 1930.

C. Seamy

Leon A. Wilby  
Thos. J. Lott

Commissioners.