

Decision No. 22282

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of City of Santa Clara, a municipal corporation for permission to make improvements on Lafayette Street, in the City of Santa Clara, across the right of way of Southern Pacific Company, a corporation.

**ORIGINAL**  
Application No. 16330

BY THE COMMISSION:

ORDER

The City Council of the City of Santa Clara, County of Santa Clara, State of California, filed the above entitled application with this Commission on the 26th day of February, 1930, asking for authority to improve a public street known as Lafayette Street at grade across the right of way of Southern Pacific, in the City of Santa Clara by constructing an asphaltic concrete pavement to within two feet of the tracks of said Southern Pacific Company. Said Southern Pacific Company has signified by letter that it has no objection to the granting of this application, and 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 with the tracks of Southern Pacific Company at the point mentioned in this application, 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 the City Council of the City of

Santa Clara, County of Santa Clara, State of California, to construct an asphaltic concrete pavement across the right of way of Southern Pacific Company at Lafayette Street as shown by the map (Improvement of Lafayette Street at S.P.R.R. Crossing) attached to the application.

Said pavement shall be constructed subject to the following conditions and not otherwise:

(1) The entire expense shall be borne by applicant.

(2) Said approaches shall be constructed with grades not exceeding four (4) per cent and of such a width that there shall be no abrupt changes in the width of pavement within the limits of said right-of-way of Southern Pacific Company.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted to applicant and/or Southern Pacific Company to widen and improve the crossing of said Lafayette Street with the tracks of Southern Pacific Company (Crossing No. E-45.6) between points two (2) feet outside of the outside rails of said tracks subject to the following conditions:

(1) The expense of improving the crossing between points two (2) feet outside of the outside rails and the cost of maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by Southern Pacific Company.

(2) Said crossing shall be constructed substantially in accordance with Standard No. 3, in General Order No. 72 of this Commission and shall be constructed of a width to conform to the portions of said street to be paved, with the tops of rails flush with the pavement, 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 2nd day  
of April, 1930.

Cl Seaver

Leon White  
W. D. Lewis

Commissioners.