

ORIGINAL

Decision No. 22282.

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
Peninsula Highway (ElCamino Real)
in the vicinity of Palo Alto,
County of Santa Clara, State of
California.

Application No. 16392.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 26th day of March, 1930, asking for authority to construct a spur track at grade across Peninsular State Highway in the vicinity of Palo Alto, County of Santa Clara, State of California, as hereinafter set forth. The necessary franchise or permit (No. 47855) has been granted by the Department of Public Works, Division of Highways, of the State of California, 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 points mentioned in this application with said Peninsula State Highway 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 Peninsula State Highway in the vicinity of Palo Alto, County of Santa Clara, State of California, at the locations hereinafter particularly described and as shown by the map (Coast Division Drawing No. 2431 - Sheet No. 1) attached to the application.

Description of Crossing

BEGINNING at a point on the northeasterly line of El Camino Real, distant thereon 290.0 feet, more or less northwesterly from the northwesterly line of Encina Avenue; thence in a southwesterly direction by curve to the left across El Camino Real to a point on the southwesterly line thereof, distant thereon 286 feet, more or less northwesterly from the southwesterly production of the northwesterly line of Encina Avenue.

The above crossing shall be identified as Crossing No. E-30.7-C.

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 highway now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding three (3) per cent; shall be protected by two Standard No. 1 crossing signs 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) No engine, train, motor or car shall be operated over said crossing without first having been brought to a full stop and unless traffic on the highway on both sides of the

crossing be protected by a member of the train crew or other competent employee.

(4) The authorization herein granted shall be for a period of one (1) year from the date of this order and immediately thereafter applicant shall at its sole expense remove said track from said highway and shall repair the street to conform to the remainder thereof unless further time is granted by subsequent order.

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

(6) 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.

(7) 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 3rd day of April, 1930.

Clarence

Leon Whitely

Wm. S. Lott

Commissioners.

The authorization herein granted, except as otherwise specifically provided, shall be effective from and after the date of this order.

For all other purposes the effective date of this order shall be twenty (20) days from and after the date hereof.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 29th day of March, 1930.

Cl. Seaver

Leon C. Whaley
Wm. D. Smith

M. J. Lee

Commissioners.