

Decision No. 22936 .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the construction at grade of a spur track across 17th Street in the City of Santa Rosa, County of Sonoma, State of California.

Application No. 16898.

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 September, 1930, asking for authority to construct a spur track at grade across 17th Street in the City of Santa Rosa, County of Sonoma, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution dated August 19th) 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 17th Street 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 17th Street in the City of Santa Rosa, County of Sonoma, State of California, at the location shown by the map (Western Division Drawing S-665) attached to the application.

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 shall be borne by applicant.

(2) Said crossing shall be so constructed that grades of approach not exceeding one (1) per cent will be feasible in the event that the construction of a roadway along said 17th Street shall hereafter be authorized and so that said grade crossing may be made safe for the passage thereover of vehicles and other road traffic.

(3) This order is made upon the express condition that 17th Street is not now actually constructed and open to travel at the point of crossing, and said order shall not be deemed an authorization for the construction of an opening of said street 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 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 3rd day of October, 1930.

Edmund
W. [Signature]
[Signature]
Paul D. [Signature]

Commissioners.