

Decision No. 23450 .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of the BOARD OF SUPERVISORS of the COUNTY OF SANTA CLARA for permission to construct a road in Laurelwood Farm Subdivision across the right of way and tracks of the Southern Pacific Company.

**ORIGINAL**

Application No. 16250.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

On February 19, 1931, the Board of Supervisors of Santa Clara County, applicant herein, applied to the Commission for authority to open to public use and travel the crossing of Kifer Road extended over a certain track of Southern Pacific Company, as authorized in this proceeding by Decision No. 22140, dated February 19, 1930, without first having completed the construction of a county road from the present terminus of Kifer Road to a connection with Brokaw Road as required by Condition (4) of the Order in said Decision No. 22140 and also for additional time in which to construct the crossing. Applicant advises that a petition, accompanied by a proper bond and supported by more than the required number of property owners in the district, was filed with the Board of Supervisors requesting the extension of Kifer Road to a connection with Hoffman Avenue, and that it now becomes necessary to appoint appraisers for the purpose of fixing the amount to be paid one of the land owners affected by this extension. It is estimated that it will require some six months

in order to obtain deeds for the necessary property to permit of the proposed extension.

Southern Pacific Company has advised that, under present conditions, it has no objection to the granting of applicant's request for a modification of this Order to provide for the opening to the public of said crossing to accommodate traffic to and from the property to the east of the railroad and adjacent to Kifer Road without first having complied with said Condition (4).

It now appears that the County is proceeding in good faith to carry out all of the terms of the Commission's Order in said Decision No. 22140 and that the instant request is reasonable under this showing; therefore

IT IS HEREBY ORDERED that Condition (4) of the Order in said Decision No. 22140 is revoked and of no further force or effect.

IT IS HEREBY FURTHER ORDERED that the time limit for the compliance with Condition (7) is extended to and including August 19, 1931.

In all other respects Decision No. 22140 shall remain in full force and effect.

Dated at San Francisco, California, this 26<sup>th</sup> day of February, 1931.

C. J. [Signature]  
Leon [Signature]  
M. J. [Signature]  
M. B. [Signature]  
Commissioners.