

Decision No. 24428.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application
of THE CITY OF SAN DIEGO for per-
mission to construct and maintain
a pedestrians' highway at grade
across the railway tracks of the
San Diego & Arizona Railway Com-
pany.

ORIGINAL

Application No. 17291.

BY THE COMMISSION:

O R D E R

The City Council of the City of San Diego, County of San Diego, State of California, on January 2, 1932, applied for authority to construct a public pedestrians' crossing at 37th Street at grade across the tracks of the San Diego and Arizona Railway Company, City of San Diego. The San Diego and Arizona Railway Company on January 18, 1932, signified, in writing, that it has no objection to the construction of said pedestrians' crossing at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing with said track at the point mentioned and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the City Council of the City of San Diego, in the County of San Diego, State of California, is hereby authorized to construct a pedestrians' crossing at

grade across the tracks of the San Diego and Arizona Railway Company at 67th Street and at the location more particularly described in the application and as shown by the map, 1869-B (Exhibit "A"), attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 36D-7.9D.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by San Diego and Arizona Railway Company.
- (3) The crossing shall be constructed of a width not less than six (6) feet and at an angle of approximately ninety (90) degrees to the railroad; shall be protected by a Standard No. 1 crossing sign as specified in our General Order No. 75, and shall in every way be made suitable for the passage thereon of pedestrian traffic.
- (4) Applicant shall erect and maintain posts or some type of barrier on each side of the track so as to effectively prevent the use of this pedestrians' crossing by vehicles.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof 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

(7) Continued.

right and proper and to revoke its permission if, in its judgment, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 25th day of January, 1932.

C. S. Jones

Leon Whiteley

M. J. Lee

M. B. Harris

Fred G. Stewart

Commissioners.