

Decision No. 24582

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
The City of Pacific Grove for per-
mission to alter the railroad cross-
ing of Dennett Street in said city.

Application No. 17921.

ORIGINAL

BY THE COMMISSION:

O R D E R

The City Council of the City of Pacific Grove, County of Monterey, State of California, on January 26, 1932, applied for authority to relocate a public street known as Dennett Street at grade across the track of Southern Pacific Company, in the said City of Pacific Grove. Southern Pacific Company, on February 23, 1932, signified, in writing, that it has no objection to the relocation of said 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 Pacific Grove, in the County of Monterey, State of California, is hereby authorized to relocate Dennett Street at grade across the track of Southern Pacific Company, at the location more particularly described in the application and as shown by the maps attached thereto, subject to the following conditions

and not otherwise:

- (1) The above crossing shall be identified as Crossing No. EE-128.7.
- (2) The entire expense of reconstructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing up to 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 Southern Pacific Company.
- (3) The crossing shall be constructed of a width of not less than twenty-four (24) feet and at an angle of approximately sixty (60) degrees to the railroad and with grades of approach not greater than four (4) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; 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 vehicles and other road traffic.
- (4) Prior to the beginning of actual construction of the crossing herein authorized, the City of Pacific Grove shall file with this Commission a certified copy of an appropriate ordinance or resolution, duly and regularly passed, instituting all necessary steps to legally abandon and effectively close the existing public grade crossing known as Dennett Street and identified as Crossing No. EE-128.7. Upon the completion of the crossing herein authorized and upon its being opened to public use and travel, said existing crossing of Dennett Street shall be legally abandoned and effectively closed to public use and travel.
- (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 right and

(7) (Continued)

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 14th day of March, 1932.

Chas. J. ...
Leon ...
M. J. ...
W. B. ...
Fred G. ...

Commissioners.