

Decision No. 25191.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
CITY OF SUNNYVALE, for an order to  
relocate crossing on Mathilda Avenue  
at the Southern Pacific Railroad  
right-of-way.

Application No. 18306.

**ORIGINAL**

BY THE COMMISSION:

O R D E R

The City of Sunnyvale, Santa Clara County, on August 1, 1932, applied for authority to relocate the crossing at grade of a public street known as Mathilda Avenue, with the tracks of Southern Pacific Company in said city and Southern Pacific Company has signified, in writing, that it has no objection to such relocation. 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 tracks at the point mentioned and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the City of Sunnyvale is hereby authorized to reconstruct Mathilda Avenue at grade across the tracks of Southern Pacific Company at the location shown by the maps attached to the application, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. E-38.6.
- (2) The entire expense of reconstructing 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 Southern Pacific Company.

- (3) The crossing shall be constructed of a width of not less than thirty (30) feet and with grades of approach not greater than those shown on profile attached to the application; shall be constructed equal or superior to type shown as Standard No. 3 in our General Order No. 72; shall be protected by two (2) Standard No. 1 crossing signs, 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) Upon completion of the crossing herein authorized, the existing crossing of Mathilda Avenue, located approximately 43 feet westerly from the crossing herein authorized, 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 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 19th day of September, 1932.

Olson  
Leon Whiskey  
M. H. ...  
M. B. ...  
Fred G. Stewart  
Commissioners.