

Decision No. 10808

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of
The Atchison, Topeka and Santa Fe
Railway Company, a corporation, for
permission to construct a spur track
at grade across Trias Street in the
City of San Diego, County of San Diego,
State of California.

Application No. 8103

BY THE COMMISSION:

ORIGINAL

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having on July 26, 1922, filed with the Commission an application for permission to construct a spur track at grade across Trias Street in the City of San Diego, County of San Diego, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit (Charter Ordinance No. 58) has been granted by the Board of Trustees of said City of San Diego for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Trias Street, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across Trias Street in the City of San Diego, County of San Diego, State of California, described as follows:

Beginning in the northwestern line of said Trias Street 89.21 feet southwesterly from the southwestern corner of Hancock and Trias Streets; thence southeasterly 50.72 feet on a curve, concave to the southwest, and having a radius of 7162.03 feet, to a point in the southeastern line of said

Trias Street, 97.69 feet southwesterly from the southeastern corner of Hancock and Trias Streets.

All of the above as shown by the map, Division Engineer's Drawing No. L-4-4769, attached to the application; said crossing to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition shall be borne by applicant.

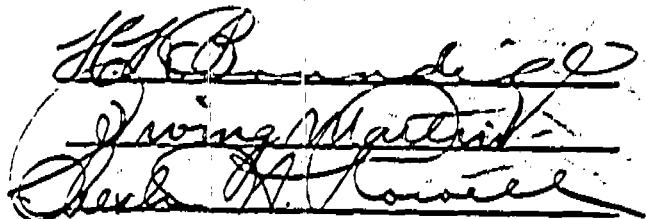
(2) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(3) The authorization herein granted for the installation of said crossing will lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(4) This order is made upon the express condition that Trias Street is not now actually constructed and open to travel at the point of crossing, and said order shall not be deemed as authorization for the construction or opening of said Trias Street to public use and travel across said railroad track.

(5) 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.

Dated at San Francisco, California, this 14th day of August, 1922.



Commissioners.