

Decision No. 1107.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the matter of the application of)
PENINSULAR RAILWAY COMPANY, for per-)
mission to construct its second mainline)
track at grade across seventeen (17))
public highways, near the City of San)
Jose, Santa Clara County, California.)
.)

Application No. 845.

O R D E R

By the Commission,

PENINSULAR RAILWAY COMPANY, a corporation,
having on November 25, 1913 filed with the Commission an ap-
plication for permission to construct its second main line
track at grade across seventeen (17) streets or public high-
ways, near the City of San Jose, Santa Clara County, Califor-
nia, as hereinafter indicated, and it appearing to the Com-
mission that this is not a case in which a public hearing is
necessary; that none of the streets or public highways for
which application is made to cross are within the ^{inc}orporated
limits of a city or town, and therefore applicant has the
statutory right to construct its track across said streets or
public highways without securing a franchise or permit for the
construction of said crossings; and it further appearing that
it is not reasonable nor practicable to avoid grade crossings
with said highways and that the application should be granted
subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED that permission be hereby
granted Peninsular Railway Company to construct its second
main line track at grade across seventeen (17) streets or
public highways, near the City of San Jose, Santa Clara County,
California, as follows:

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- Crossing No. 1: A public highway known as "Meridian Road", at Engineer's Station 163 plus 37.
- Crossing No. 2: A public highway known as "Page Street", at Engineer's Station 158 plus 45.
- Crossing No. 3: A public highway known as "Willard Street", at Engineer's Station 153 plus 45.
- Crossing No. 4: A public highway known as "Buena Vista Avenue", at Engineer's Station 148 plus 08.
- Crossing No. 5: A public highway known as "Mayollen Avenue", at Engineer's Station 143 plus 95.
- Crossing No. 6: A public highway known as "Menker Avenue", at Engineer's Station 140 plus 38.
- Crossing No. 7: A public highway known as "Rambo Avenue", at Engineer's Station 137 plus 24.
- Crossing No. 8: A public highway known as "Porter Avenue", at Engineer's Station 134 plus 19.
- Crossing No. 9: A public highway known as "Clifton Avenue", at Engineer's Station 131 plus 19.
- Crossing No. 10: A public highway known as "Rutland Avenue", at Engineer's Station 128 plus 09.
- Crossing No. 11: A public highway known as "Loland Avenue", at Engineer's Station 125 plus 58.
- Crossing No. 12: A public highway known as "Irving Avenue", at Engineer's Station 123 plus 09.
- Crossing No. 13: A public highway known as "Raymond Avenue", at Engineer's Station 120 plus 58.
- Crossing No. 14: A public highway known as "Arletta Avenue", at Engineer's Station 118 plus 09.
- Crossing No. 15: A public highway known as "Vaughn Avenue", at Engineer's Station 115 plus 45.
- Crossing No. 16: A public highway known as "Lasswell Avenue", at Engineer's Station 113 plus 09.
- Crossing No. 17: A public highway known as "Pascome Avenue", at Engineer's station 110 plus 55.

All of the above as shown by the map and profile attached to the application and subject to the following conditions, viz:

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed of a length not less than twenty-four (24) feet, with grades of approach not exceeding six (6) per cent, and shall be ballasted with first-class stone or gravel ballast to a depth not less than six (6) inches, and in every way made safe for the passage thereover of vehicles and other road traffic.

(3) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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 3rd
day of December, 1913.

H. S. Loveland

W. S. Gordon

Edwin O. Edgerton

Commissioners.