

ORIGINAL

Decision No. 11310

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application)
of the Common Council of the City)
of San Diego, County of San Diego,)
State of California, for permission)
to construct a public street at)
grade across the tracks of The Atch-)
ison, Topeka and Santa Fe Railway)
at Bean Street.)

Application No. 8304

BY THE COMMISSION:

O R D E R

The Common Council of the City of San Diego, County of San Diego, State of California, having on October 4, 1922, filed with the Commission an application for permission to construct a public street at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company, hereinafter called the Railroad, at Bean Street in said city, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the Railroad has signified by letter that it has no objection to 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 tracks, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted the Common Council of the City of San Diego, County of San Diego, State of California, to construct and maintain a public street

at grade across the tracks of the Railroad in the location shown on the map (Drawing Number 626 B) attached to the application; said crossing to be constructed and maintained subject to the following conditions, viz:

(1) The entire expense of constructing the crossing shall be borne by the applicant. The cost of its maintenance up to a line two (2) feet outside the rails shall be borne by the applicant. The maintenance of that portion of the crossing between the rails and two (2) feet outside thereof shall be borne by the Railroad.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than five (5) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) The crossing heretofore located one hundred fifty (150) feet southeasterly from Bean Street shall be abandoned and effectively closed to public use and travel.

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

(5) 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.

(6) The crossing of Bean Street herein authorized, shall be abandoned and closed to public use and travel on and after January 1, 1926, 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 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 5th day of ~~November~~ ^{December}, 1922.

W. P. Muddie
Chivington Masten
Charles H. Brown
J. J. Sweeney
Commissioners.