

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 1656

In the matter of the application of PENINSULAR RAILWAY COMPANY, a corporation, for permission to construct an industrial spur track at grade from its private right-of-way into the property of S. DiFiore across Stevens Creek Road near Porter Avenue in the County of Santa Clara, State of California.

Application No. 1204.

O R D E R

By the Commission,-

PENINSULAR RAILWAY COMPANY, a corporation, having on June 29, 1914, filed with the Commission an application for permission to construct its industrial spur track at grade across Stevens Creek Road near Porter Avenue in the County of Santa Clara, California, as hereinafter indicated; and it appearing to the Commission that this is not a case in which a public hearing is necessary, that said crossing is not within the incorporated limits of a city or town, that therefore a franchise or permit is not necessary for the construction of said crossing, and it further appearing that it is not reasonable nor practicable to avoid grade crossing with said public highway, and that the application should be granted subject to the conditions hereinafter specified,

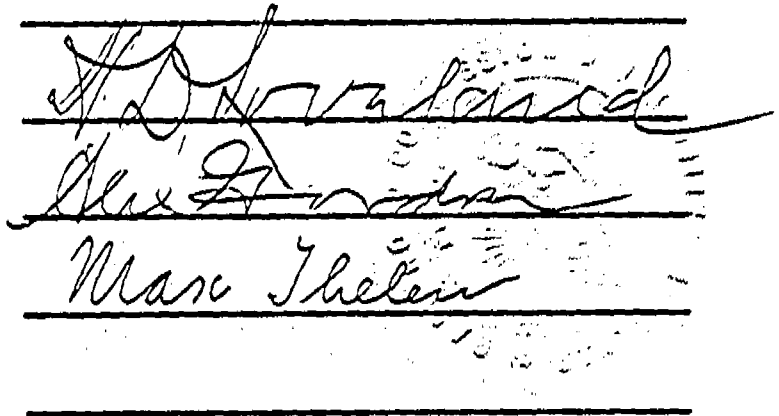
IT IS HEREBY ORDERED that permission be hereby granted Peninsular Railway Company to construct an industrial spur track to serve S. Di Fiore across Stevens Creek Road near Porter Avenue in the County of Santa Clara, California, as shown by the map and profile attached to the application and subject to the following conditions, viz.:

1. The entire expense of constructing the crossing together with the cost of maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.
2. Applicant shall provide the necessary plank or guard rails for the construction of said crossing, and shall ballast same to a

depth of not less than six (6) inches with first-class stone or gravel ballast. Said crossing shall be of a length sufficient to meet the demands of road traffic, with grades of approach not exceeding six (6) percent and shall in every way be 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 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 9th day of
July, 1914.

Three handwritten signatures are written over horizontal lines. The top signature is 'H. D. ...', the middle is 'Alex ...', and the bottom is 'Marc ...'.

Commissioners.