

ORIGINAL

Decision No. 2890

Decision No. \_\_\_\_\_

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of )  
SAN JOSE RAILROADS for permission )  
to construct an industrial spur track )  
at grade across Alum Rock Avenue, near )  
Capitol Avenue, in Santa Clara County, )  
California. )  
..... )

Application No. 1947.

By the Commission,

O R D E R.

SAN JOSE RAILROADS, a corporation, having on November 5, 1915, filed with the Commission an application for permission to construct an industrial spur track at grade across Alum Rock Avenue, near Capitol Avenue, Santa Clara County, 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 proposed crossing is not within the limits of an incorporated town or city, hence no franchise or permit for the construction of said crossing at grade is necessary, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with Alum Rock Avenue, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted San Jose Railroads to construct an industrial spur track at grade across Alum Rock Avenue, near Capitol Avenue, in the County of Santa Clara, California, as shown by the map attached to the application; said spur track 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 for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type

of construction to conform to that portion of Alum Rock Avenue now graded, with grades of approach not exceeding four (4) per cent; shall be protected by a suitable crossing sign, and shall in every way be made safe and convenient 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, 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 November, 1915.

Max Heeler

J. H. Stanford

Alfred Gordon

Edwin O. Edgerton

Franz DeLeon

Commissioners.