

ORIGINAL

Decision No. 3647

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of PENINSULAR RAILWAY COMPANY, a corporation, for authority to abandon and remove certain railway tracks on Saratoga Avenue and Los Gatos Road, in the Village of Saratoga, County of Santa Clara, State of California, and in lieu thereof to construct and operate at grade its tracks over and across said Saratoga Avenue and Los Gatos Road from its present tracks thereon to its private right-of-way, and also over and across the alley shown on the map hereto attached, the same being marked on said map as "Alley."

Application No. 2535.

By the Commission,

O R D E R.

PENINSULAR RAILWAY COMPANY, a corporation, having on September 5, 1916, filed with the Commission an application for permission to remove certain tracks on Saratoga Avenue and Los Gatos Road and to construct its tracks at grade across Saratoga Avenue and Los Gatos Road in Saratoga, 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 crossings referred to are not within the limits of an incorporated town or city and no franchise is needed for the construction or abandonment of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Saratoga Avenue and Los Gatos Road, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted

Peninsular Railway Company to remove certain tracks and to construct certain tracks at grade across Saratoga Avenue and Los Gatos Road in Saratoga, Santa Clara County, California, as shown by the map attached to the application; said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossings to be made, 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 width and type of construction to conform to those portions of Saratoga Avenue and Los Gatos Road now graded, with grades of approach not exceeding four (4) percent; shall be protected by suitable crossing signs, 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 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 14th day of September, 1916.

Max Helem
H. Loveland
W. Gordon

Commissioners.