

ORIGINAL

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 4198

In the matter of the application of SOUTHERN PACIFIC COMPANY for permission to construct a spur track at grade across Julian Street, near the City of San Jose, Santa Clara County, California.

Application No. 2607.

By the Commission.

ORDER

SOUTHERN PACIFIC COMPANY, a corporation, having on March 20, 1917, filed with the Commission an application for permission to construct a spur track at grade across Julian Street, near the City of San Jose, 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 and no franchise is needed for 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 Julian Street, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be heroby granted SOUTHERN PACIFIC COMPANY to construct a spur track at grade across Julian Street, near the City of San Jose, Santa Clara County, California, described as follows:

"Commencing at a point in the center line of the main track now existing on Senter Street, said point being 135 feet more or less northerly

from the northerly line of Julian Street; thence southerly on a curve to the left to a point in the northerly line of Julian Street produced, said point lying 15 feet more or less westerly from the easterly line of Senter Street; thence continuing on said curve across Julian Street and into private property."

All of the above as shown by the map attached to the application; said crossing 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 Julian Street 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 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 22nd day of March, 1917.

Max Thelen
H. S. Howard

Frank R. DeVin

Commissioners.