ORIGINAL

Decision	No.		···•					
BEFORE	THE	RATIROAD	COMMISSION	OF	THE	STATE	OF	CALIFORNIA.

In the matter of the application of SOUTHERN PACIFIC COMPANY for permission to construct a spur track at grade across Depot Street in the Town of Morganhill, Santa Clara County, California.

Application No. 2935.

By the Commission.

ORDER

May 18, 1917, filed with the Commission an application for permission to construct a spur track at grade across Depot Street in the Town of Morganhill, 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 necessary franchise or permit has been granted by the Town of Morganhill 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 Depot Street, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be hereby granted Southern Pacific Company to construct a spur track at grade across Depot Street in the Town of Morganhill, Santa Clara County, California, described as follows:

"Commencing at a point on the northeasterly line of Depot Street, distant 160 feet northwesterly from the intersection of said line of Depot Street and the northwesterly line of Fifth Street, produced northeasterly: thence northwesterly and across said Depot Street, 190 feet and entering 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 Depot 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 24 day of May. 1917.

Edwin O. Edgita

Traus Commissioners.