

Decision No. 6441.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of)
DIRECTOR GENERAL OF RAILROADS,)
SOUTHERN PACIFIC RAILROAD, for)
an order authorizing the construc-)
tion of two spur tracks at grade)
across Cinnabar Street near Senter)
Street in West San Jose, County of)
Santa Clara, State of California.)

Application No. 4667.

By the Commission.

ORDER

DIRECTOR GENERAL OF RAILROADS, SOUTHERN PACIFIC RAILROAD, having on June 11, 1919, filed an application with the Commission for permission to construct two spur tracks at grade across Cinnabar Street near Senter Street in West San Jose, County of Santa Clara, State of 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 are not within the limits of an incorporated town or city and no franchise is needed for the construction of said crossings at grade; and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said streets, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be and the same is hereby granted DIRECTOR GENERAL OF RAILROADS, SOUTHERN PACIFIC RAILROAD, to construct two spur tracks at grade across Cinnabar Street near Senter Street, in West San Jose, County of Santa Clara, State of California, described as follows:

BEGINNING at a point in the center line of the existing main track of Southern Pacific Company located in Senter Street, at a point 340 feet northwesterly from the southeasterly line of Cinnabar Street; thence through a #9 turnout to right with an angle $6^{\circ} 22'$ a distance of 340 feet more or less and crossing Cinnabar Street to a point in the southeasterly line of said street.

Also BEGINNING at a point in the center line of the track above described 250 feet northwesterly from the southeasterly line of Cinnabar Street, thence southwesterly through a #7 turnout with an angle of $8^{\circ} 10'$ for a distance of 70 feet to a point; thence on a curve to the right with a radius of 240.5 feet through an angle $75^{\circ} 28'$ a distance of 314.4 feet and crossing Cinnabar Street to a point on private property which is 8.5 feet southeasterly from southeasterly line of Cinnabar Street measured at right angles thereto.

All of the above 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, 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 the streets to be crossed now graded, with grades of approach not exceeding four (4) per cent; 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 25th day
of June, 1919.

Edwin O. Edgerton

Frank R. Gering

Deering Mattison

Commissioners.