

Decision No. 6877.

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 construction)
of a spur track at grade across)
Second Street in the City of San)
Jose, County of Santa Clara, State)
of California.)

Application No. 5128.

By the Commission.

O R D E R

DIRECTOR GENERAL OF RAILROADS, SOUTHERN PACIFIC RAILROAD, having on November 19, 1919, filed an application with the Commission for permission to construct a spur track at grade across Second Street in the City of 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 City Council of the City of San Jose has granted its permission for the construction of said track at grade; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said street, 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 a spur track at grade across Second Street in the City of San Jose, County of Santa Clara,

State of California, described as follows:

BEGINNING at a point in the center line of an existing track which is 52 feet northeasterly from the northeasterly line of Second Street, thence southwesterly through a number 10 turnout to the left crossing Second Street to a point in the southwesterly line thereof.

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 the applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of Second Street to be crossed 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 28th
day of November, 1919.

Edwin O. Egerton

H. S. Loveland

H. A. Brundage

James Martin

Commissioners.