

Decision No. 6911.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the joint application)
of the SAN DIEGO AND ARIZONA RAILWAY)
COMPANY and the ATCHISON, TOPEKA AND)
SANTA FE RAILWAY COMPANY, for authority) Application No. 5141.
to construct, maintain and operate a)
railroad wye track, in Middletown,)
San Diego, California.)

By the Commission.

ORDER

SAN DIEGO AND ARIZONA RAILWAY COMPANY and ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY having on November 21, 1919, filed an application with the Commission for permission to construct, maintain and operate a railroad wye track in Middletown, City of San Diego, County of San Diego, State of California, across certain streets and tide lands owned by the Federal government as shown by the map attached to the application; 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 Diego has granted its permission 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 SAN DIEGO AND ARIZONA RAILWAY COMPANY and ATCHISON, TOPEKA AND SANTA FE RAILWAY

COMPANY be and the same are hereby granted permission to construct, maintain and operate a railroad wye track in Middletown, City of San Diego, County of San Diego, State of California, across certain streets and tide lands owned by the Federal government 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 the applicants.

(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 5th
December
day of ~~November~~, 1919.

Edwin O. Edgerton
H. B. Leland
Frank R. Leland

Commissioners.