

Decision No. 7169

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of Application of
Director General of Railroads,
Southern Pacific Railroad, for
an Order authorizing the con-
struction of a spur track, at
grade, across Taylor Street, in
the City of San Jose, County of
Santa Clara, State of California.

Application No. 5385.

By the Commission.

O R D E R

Director General of Railroads, Southern Pacific Railroad, having, on February 25, 1920, filed an application with the Commission for permission to construct a spur track, at grade, across Taylor 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 Taylor Street, in the City of San Jose, County of Santa Clara, State of California, described as follows:

BEGINNING at a point on the northwestern line of Taylor Street distant thereon southwesterly 12 feet from the intersection thereof with the northeasterly line of Eighth Street, thence southeasterly a distance of 23 feet to a point, thence along a curve to the right whose radius is 459 feet an arc distance of 57 feet to a point on the southeastern line of Taylor Street, said point being distant thereon 9 feet southwesterly from the intersection thereof with the northeastern line of Eighth Street, as shown by red inked line on white print map attached hereto and hereby made a part hereof.

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 Taylor 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 27th
day of February, 1920.

Edwin O. Edgerton

Frank R. DeWitt

H. A. Brundage

Commissioners.