

Decision No. 7729

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of San Diego and Arizona Railway Company for permission to construct and operate an industrial spur track, at grade, across the intersection of Union and I. Streets and across an existing spur track owned by the Atchison, Topeka and Santa Fe Railway Company and operated by the San Diego and Arizona Railway Company in the City of San Diego, San Diego County, California.

Application No. 5794.

By the Commission.

O R D E R

San Diego and Arizona Railway Company, a corporation, having on June 8, 1920, filed with the Commission an application for permission to construct and operate an industrial spur track, at grade, across the intersection of Union and I. Streets and across an existing spur track in said street intersection in the City of San Diego, County of San Diego, 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 Common Council of the City of San Diego in Ordinance No. 7976 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 said industrial spur track, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted San Diego and Arizona Railway Company to construct and operate an industrial spur track, at grade, across the intersection of Union and I. Streets and across an existing industrial spur track owned by the Atchison, Topeka and Santa Fe Railway Company and operated by the San Diego and Arizona Railway Company in said street intersection in the City of San Diego, County of San Diego, California, described as follows:

COMMENCING at a point on the west line of block 13, New San Diego, distant 24.34 feet south from the south line of I. Street; thence north-westerly on a curve to the right with a radius of 286.84 feet, a distance of 199.05 feet, to a point distant 8.5 feet east from the west line of Union Street, being the east line of block 24, New San Diego; thence north on a line parallel to and distant 8.5 feet east from the west line of Union Street, a distance of 109.97 feet to the south line of Market Street, being the northerly end of said industrial spur.

All of the above as shown by the map Marked H-123 attached to the application; said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the street 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 street crossings shall be constructed of a width and type of construction to conform to those portions of Union and I. Streets to be crossed as now graded, with grades of approach not exceeding two (2) 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 cost of installing and maintaining the railroad crossing with the existing industrial spur track

shall be borne by the applicant.

(4) All trains, engines, motor cars, and cars using the two spur tracks included in this application shall come to a full stop before proceeding over the crossing and shall not proceed over same until it has been ascertained that it is safe to do so.

(5) 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 16th day of June, 1920.

Edwin O. Edgerton
H. D. Loveland
Dwight Martin

Commissioners.