

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 817

ORIGINAL
Application 656.

In the matter of the application of BOARD OF TRUSTEES OF MORGAN HILL, Santa Clara County, California, for permission to construct a public highway at grade across the tracks of Southern Pacific Company.
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O R D E R

By the Commission.

BOARD OF TRUSTEES, MORGAN HILL, Santa Clara County, California, having on July 24, 1913, filed with the Commission an application for permission to construct a public highway crossing at grade across the tracks of Southern Pacific Company, in the town of Morgan Hill, Santa Clara County, California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary, that applicant has secured an easement, of date June 26, 1913, from Southern Pacific Company, granting permission to make said crossing at grade; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said tracks, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be hereby granted Board of Trustees, Morgan Hill, Santa Clara County, California, to construct a public highway at grade across the tracks of Southern Pacific Company in the town of Morgan Hill, Santa Clara County, California, at ^{S.P.}engineer's station 1053 plus 41, said street being an extension of Central Avenue, as shown by the map attached to the application, subject to the following conditions, viz.:

- (1) The entire expense of constructing the crossing at grade shall be borne by applicant.
- (2) The expense of maintaining the crossing up to within two (2) feet on each side of the rails of Southern Pacific Company hereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant. Southern Pacific Company shall maintain

said crossing across its tracks and to within two (2) feet on each side thereof.

(3) Said crossing shall be constructed of a width not less than twenty-four (24) feet, with grades of approach not exceeding six (6) per cent, and shall be ballasted with first-class stone or gravel ballast to a depth of not less than six (6) inches.

(4) Said Board of Trustees shall construct at its own expense and Southern Pacific Company shall maintain at its own expense for the protection of said crossing, a first-class, standard, automatic flagman, which, upon the approach of a train, shall display a red light, said light to have the motion of an inverted pendulum, and which shall, at the same time, automatically sound a warning bell. Attached to the support of this device shall be a first-class, standard, highway crossing sign, marked with appropriate black letters, not less than six (6) inches in height, upon a white background.

(5) 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 29th day of July, 1915.

John Washburn

Max Shelton

Edwin A. Edgerton

Commissioners.