

Decision No. 26417.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construction
at grade of a spur track across
Carroll Avenue and Mendell Street,
in the City and County of San
Francisco, State of California.

Application No. 19126.

BY THE COMMISSION:

O R D E R

ORIGINAL

Southern Pacific Company, a corporation, on October 7, 1933, applied for authority to construct a spur track at grade across Carroll Avenue and Mendell Street in the City and County of San Francisco, State of California. Application for the necessary permit has been filed with the Board of Supervisors of said City and County for the construction of said crossings at grade and applicant states that it will file a certified copy with this Commission as soon as granted. Said streets are not graded or open to travel at the points of crossing. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings at the points mentioned and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that Southern Pacific Company is hereby authorized to construct a spur track at grade across Carroll Avenue and Mendell Street in the City and County of San Francisco, State of California, at the locations more particularly described

in the application and as shown by the map attached thereto,
subject to the following conditions:

- (1) Before undertaking actual construction of said crossings, applicant shall file a certified copy of a permit from the Board of Supervisors of the City and County of San Francisco, for the construction of said crossings at grade.
- (2) The entire expense of constructing and thereafter maintaining the crossings in good and first-class condition shall be borne by applicant.
- (3) This order is made upon the express condition that Carroll Avenue and Mendell Street are not now actually constructed and open to travel at the respective points of crossing and this order shall not be deemed an authorization for the construction of an opening of said streets to public use across said spur track.
- (4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings and of its compliance with the conditions hereof.
- (5) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.
- (6) 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, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 9th day
of October, 1933.

W. J. Seavey
Leon Seavey
M. A. Curran
M. B. Harris
Walter Harris
Commissioners