

Decision No. 27875.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
the Harbor Commission of The City of
San Diego, California, for permission
to construct and maintain an industrial
spur track to serve the Consolidated
Aircraft Corporation, Ltd., and author-
ization to cross with said spur track
at grade Atlantic Street, a State High-
way in The City of San Diego, California.

ORIGINAL

Application No. 19897.

BY THE COMMISSION:

O R D E R

The Harbor Commission of the City of San Diego, on April 1, 1935, applied for authority to construct a spur track at grade across Atlantic Street, a state highway route, in The City of San Diego, County of San Diego, State of California.

The Department of Public Works of the State of California, which has jurisdiction over said Atlantic Street, has signified that it will not oppose the granting of this application. The Atchison, Topeka and Santa Fe Railway Company, which will operate over said spur track, signified, in writing, that said track construction is feasible and that it will cooperate with applicant in this matter.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practical at this time to provide a grade separation or to avoid a grade crossing at the point mentioned and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that the Harbor Commission of the City of San Diego and The Atchison, Topeka and Santa Fe Railway Company are hereby authorized to construct a spur track at grade across Atlantic Street in the City of San Diego, County of San Diego, State of California, at the location more particularly as shown by the map (Drawing No. 12) attached to and made a part of the application, subject to the following conditions:

1. The entire expense of constructing the crossing for safe and convenient use of the public, shall be borne by applicant. The cost of maintaining said crossing in good and first-class condition shall be borne by The Atchison, Topeka and Santa Fe Railway Company.
2. Said crossing shall be constructed equal or superior to the type shown as Standard No. 3, in our General Order No. 72, and shall be constructed without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding two (2) per cent, and shall be protected by two Standard No. 1 crossing signs as specified in our General Order No. 75-A.
3. No train, motor, engine or car shall be operated over said crossing unless traffic on the highway on each side of the crossing is protected by a member of the train crew or other competent employee acting as flagman.
4. Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing 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

6. (Continued)

and protection of said crossing, 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 1st day of April, 1935.

Leon S. Whitley
W. J. Carr

W. H. Thompson
Frank W. H. H. H.

Commissioners.