

Decision No. 29168.

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
spur track across Carroll Avenue and
Mendell Street, in the City and County
of San Francisco, State of California.

Application No. 20777.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, on September 24, 1936, 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 franchise or permit has been made to the Board of Supervisors of said City and County for the construction of said crossing at grade and when granted a certified copy will be filed with the Commission. The proposed track will cross streets not at present graded or open to travel.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable 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,

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

- (1) Before undertaking the actual construction of the crossing herein authorized, applicant shall file a certified copy of a permit from the City and County of San Francisco for the construction of said crossing at grade with Carroll Avenue and Mendell Street.
- (2) 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 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.
- (3) 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.
- (4) 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.
- (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, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 5th day of October, 1936.

M B Harris
Leon Whitley
M J Cline
W H Harrison
Frank R. Allen
Commissioners