

Decision No. 23804

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construc-
tion at grade of a spur track
across Malan Street, located partly
in the City of Brawley, County of
Imperial, and partly in the County
of Imperial, State of California.

Application No. 21061

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, on March 10, 1937, applied for authority to construct a spur track at grade across Malan Street, located partly in the City of Brawley, Imperial County, and partly in an unincorporated portion of said county. The necessary permits have been granted by the City Council of said City and the Board of Supervisors of said county for the construction of said crossing at grade.

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 Malan Street, located partly in the City of Brawley, Imperial County, and partly in an unincorporated portion of Imperial County, at the location more particularly described in the application and as shown by the map attached thereto, subject to the following conditions:

- (1) The above crossing of Malan Street shall be identified as a portion of Crossing No. BN-686.8.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossing shall be constructed equal or superior to the type shown as Standard No. 2, 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 six (6) per cent, and shall be protected by a Standard No. 1 crossing sign as specified in our General Order No. 75-A.
- (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 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 14th day of March, 1937.

Walter H. Brown
Leon C. Brown
John R. Brown
Rafael Brown
Ray L. Brown
Commissioners.