

Decision No. 29644.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
the City of National City, California,
for permission to construct a public
road across the track of the Atchison,
Topeka & Santa Fe Railway Company at
First Street in the City of National
City.

Application No. 20981.

BY THE COMMISSION:

ORIGINAL

O R D E R

The City Council of the City of National City, County of San Diego, State of California, on January 27th, 1937, applied for authority to construct a public street known as First Street at grade across the track of The Atchison, Topeka and Santa Fe Railway Company, in the said City of National City. The Atchison, Topeka and Santa Fe Railway Company, on February 19th, 1937, signified, in writing, that it has no objection to 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 with said track at the point mentioned; and that the application should be granted, subject to certain conditions;

IT IS HEREBY ORDERED that the City Council of the City of National City, in the County of San Diego, State of California, is hereby authorized to construct First Street at

grade across the track of The Atchison, Topeka and Santa Fe Railway Company, at the location more particularly described in the application and as shown by the maps attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 2-271.7.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing up to lines two (2) feet outside of the rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company. The Atchison, Topeka and Santa Fe Railway Company shall perform all actual work of constructing the crossing between lines two (2) feet outside of the rails.
- (3) The crossing shall be constructed of a width of not less than thirty-six (36) feet and at an angle of approximately seventy-five (75) degrees to the railroad and with grades of approach not greater than two (2) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Two Standard No. 1 crossing signs, as specified in General Order No. 75-A of this Commission, shall be installed at the sole expense of applicant for the protection of said crossing of First Street, Crossing No. 2-271.7. The maintenance of these protective devices shall thereafter be borne by The Atchison, Topeka and Santa Fe Railway Company.
- (5) 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.
- (6) 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.
- (7) 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 April, 1937.

Robertson
Leon Whittell
James R. Sullivan
W. A. W. W. W.
W. A. W. W.
Commissioners.