

ORIGINAL

Decision No. 29805.

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 side track across) Application No. 21145
Harkins Road and across Hunter)
Lane, in the vicinity of Spreckels,)
County of Monterey, State of Cali-)
fornia.)

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, on April 22, 1937, applied for authority to construct a side track at grade across Harkins Road and Hunter Lane in the vicinity of Spreckels, Monterey County. No franchise or permit from said County for the construction of said crossings at grade has been filed, applicant claiming the right to construct, maintain and operate said side track under Section 465 of the Civil Code.

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 side track at grade across Harkins Road and Hunter Lane in the vicinity of Spreckels, County of Monterey, State of California, at the locations more particularly described in the application and as shown by the maps attached thereto, subject to the following conditions:

- (1) The above crossing of Harkins Road shall be identified as a portion of Crossing No. E-122.2-C, and that of Hunter Lane as a portion of Crossing No. E-121.8-C.
- (2) The entire expense of constructing and thereafter maintaining the crossings in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossings 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 super-elevation and of a width to conform to portions of said roads now graded, with the tops of rails at substantially the same elevation as the rails of the adjacent existing track and flush with the roadway, and with grades of approach not exceeding three (3) per cent, and shall be protected by Standard No. 1 crossing signs as specified in our General Order No. 75-A.
- (4) No car or cars shall be left standing on said side track within one hundred (100) feet of the crossings herein authorized.
- (5) 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.
- (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 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 24th day of May, 1937.

Leon Applegate
Frank M. Hill
Harold W. H. H. H.
Ray & Alley
Commissioners