

ORIGINAL

Decision No. 29808

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of)	
SOUTHERN PACIFIC COMPANY for an)	
order authorizing the construction)	Application No. 21154
at grade of an additional track)	
across Fairview Avenue, in the)	
vicinity of Goleta, County of Santa)	
Barbara, State of California.)	

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, on April 27, 1937, applied for authority to construct a passing track at grade across Fairview Avenue in the vicinity of Goleta, Santa Barbara County. No franchise or permit from said County for the construction of said track has been filed, applicant claiming the right so to do 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 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 Southern Pacific Company is hereby authorized to construct a passing track at grade across Fairview Avenue in the vicinity of Goleta, County of Santa Barbara, State of California, at the location more particularly described in the application and as shown by the maps attached thereto, subject to the following conditions:

- (1) The above crossing of Fairview Avenue shall be identified as a portion of Crossing No. E-362.2.

- (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 of a width to conform to that portion of said avenue now graded, with the tops of rails substantially at same elevation as the adjacent main line rails and flush with the roadway, and with grades of approach not exceeding four (4) per cent.
- (4) Two Standard No. 3 wigwags, as specified in General Order No. 75 of this Commission, shall be installed and maintained at the sole expense of Southern Pacific Company, for the protection of said crossing of Fairview Avenue with the adjacent main line track, and said wigwags shall be so controlled that they will provide a warning aspect at all times that a train is standing or passing over the crossing herein authorized.
- (5) Whenever a train engine or car is standing on said passing track within 300 feet of either side of said crossing, and the crossing is open for vehicular use, the crossing shall be protected by a competent employee acting as a flagman.
- (6) Whenever said passing track is occupied by a standing train, and it is apparent that said crossing will be blocked by said standing train for a period longer than ten minutes, said train shall be cut to permit the passage of vehicles, and the crossing flagged as provided in Condition (5) of this order.
- (7) 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.
- (8) 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.
- (9) 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 24th day of May, 1937.

Leon A. White
John R. Hall
Raymond W. [unclear]
Ray C. [unclear]
Commissioners.