

Decision No. 22898.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the People of)
the State of California, on relation of the Depart-)
ment of Public Works, for an order authorizing the) Application
construction of a crossing at separated grades of) No. 22898
Polhemus Street and the tracks of the Southern)
Pacific Railroad, in the City of San Jose, County)
of Santa Clara, State of California.)

O R D E R

The People of the State of California, on relation of the Department of Public Works, are authorized to construct Polhemus Street (Road IV - SCl - Feeder - S. Jose) at separated grades under the track of Southern Pacific Company in the City of San Jose, Santa Clara County, at the location as shown by map (Exhibit A) attached to the application, to be identified as Crossing No. E-45.9-B. Applicant shall bear construction expense. The City of San Jose shall bear maintenance expense of roadway and sidewalks, all of substructure (except as hereinafter provided) and drainage incident thereto; Southern Pacific Company shall bear maintenance expense of tracks and appurtenances thereto, and that portion of the structure above the base of bridge seats and of the substructure immediately below. Applicant shall file with the Commission within one hundred and twenty days: (1) a copy of an agreement entered into between the parties relative to the construction and maintenance of said crossing, and (2) plans of said crossing approved by Southern Pacific Company. Clearances shall conform to the provisions of G.O.26-C. During construction only, side clearances of eight feet, and overhead clearances of twenty-one feet may be maintained, provided train speeds do not exceed twenty miles per hour and train crews are notified by bulletin or train order of said impaired clearances.

Within thirty days after completion pursuant to this order, applicant shall so advise the commission in writing. This authorization shall become void if not exercised within two years, unless time be extended, or if conditions are not complied with. This order shall be effective immediately.

Dated at ~~San Francisco~~ ^{Los Angeles}, California, this 26th day of September, 1939.

Raymond W. ...
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Justin J. Cassin
Commissioners.