

Decision No. 34749

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 spur track)
upon and across Mission Street, in the)
City of San Jose, County of Santa Clara,)
State of California.)

Application
No. 24560

ORIGINAL

BY THE COMMISSION:

ORDER

Southern Pacific Company is authorized to construct a spur track at grade across Mission Street, an unimproved and untraveled street in San Jose, Santa Clara County, at the location described in the application. Applicant shall bear entire construction and maintenance expense.

This order is made upon the condition that Mission Street is not now actually constructed and open to travel at the point of crossing and this order shall not be deemed an authorization for the construction of an opening of said street to public use across said spur track.

Within thirty (30) days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall become void if not exercised within one year, unless time be extended, or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require. This order shall be effective immediately.

Dated at San Francisco, California, November 12th 1941.

[Handwritten signatures of three commissioners]
Richard H. Hatcher
(COMMISSIONERS)