

ORIGINAL

Decision No. 34989

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of THE WESTERN)
 PACIFIC RAILROAD COMPANY for permission to re-)
 locate a spur track at grade across Martha) Application
 Street and along Fifth Street in the City of) No. 24731
 San Jose, County of Santa Clara, State of Cali-)
 fornia.)

BY THE COMMISSION:

O R D E R

The Western Pacific Railroad Company is authorized to re-locate a spur track at grade across Martha Street and along Fifth Street in San Jose, Santa Clara County, at the location described in the application, to be identified as a portion of Crossing No. 4G-20.34-C. Applicant shall bear entire construction and maintenance expense. Construction of said crossing shall be equal or superior to Standard No. 2 of G. O. No. 72, without superelevation and of a width to conform to the portion of the street now graded, with tops of rails flush with roadway, and with grades of approach not exceeding two per cent. Protection shall be by one Standard No. 1 crossing sign (G. O. No. 75-B).

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 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, this 3rd day of February, 1942.

Justus F. Coburn
Ray L. Riley
Frank S. Hansen
Arthur Jackson
 Commissioners