

Decision No. 37508

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 an industrial spur track across Oakland Road (Milpitas Road), in the City of San Jose, County of Santa Clara, State of California.

BY THE COMMISSION:

ORIGINAL

ORDER

Southern Pacific Company is authorized to construct a spur track at grade across a portion of Milpitas Road at its intersection with Berryessa Road in San Jose, Santa Clara County, at the location described in the application, to be identified as a portion of Crossing No. DA-45.5-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 one per cent. Protection shall be by Standard No. 1 crossing signs now in place.

No train, motor, engine or car shall enter upon said crossing at a speed greater than ten miles per hour and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman. After having entered upon the crossing, it shall be cleared as quickly as is practicable.

Details of construction as set forth in Encroachment Permit No. C-49385, dated October 11, 1941, from State Department of Public Works and Resolution No. 6902 of the City Council of San Jose are approved.

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 Los Angeles, California, this 29th day of November, 1941.

Richard L. Parker
Industrius J. Crammer
Frank P. Howes
Frances G. Davis
Frank J. Donahue

COMMISSIONERS