

Decision No. 38199

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 industrial) Application No. 26920
spur track across White Street and San)
Fernando Street, in the City of San Jose,)
County of Santa Clara, State of California.)

BY THE COMMISSION:

ORIGINAL

O R D E R

SOUTHERN PACIFIC COMPANY is authorized to construct a spur track at grade across White Street and San Fernando Street in San Jose, Santa Clara County, at the location described in the application. Applicant shall bear entire construction expense.

This order is made upon the condition that White Street and San Fernando Street are 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 streets to public use across said spur track. Said track shall be so constructed that grades of approach not exceeding four (4) per cent will be feasible in the event that the construction of an opening of said streets across said spur track shall hereafter be authorized.

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, September 12, 1945.

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COMMISSIONERS