

Decision No. 11991

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
The Western Pacific Railroad Company
for permission to construct three
spur tracks across Lincoln Street in the
City of Stockton, County of San Joaquin.

Application No. 8897.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, having on April 9, 1923, filed with the Commission an application for permission to construct three (3) spur tracks, at grade, across Lincoln Street and at grade across a portion of Lindsay Street, in the City of Stockton, County of San Joaquin, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the City Council of said City of Stockton for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Lincoln and Lindsay Streets, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted The Western Pacific Railroad Company to construct three (3) spur tracks at grade across Lincoln Street and at grade across a portion of Lindsay Street in the City of Stockton,

County of San Joaquin, State of California, described as follows:

"SPUR TRACK No. 1:

"Beginning at the point of switch in the center line of the 'Stockton North Channel Spur' of The Western Pacific Railroad Company as the same now exists on Lindsay Street in the City of Stockton; said point being approximately 160 feet westerly of the westerly line of Lincoln Street; thence in a northeasterly direction with switch and turnout to the left crossing the westerly line of Lincoln Street approximately 15 feet southerly of the northerly line of Lindsay Street; thence across said Lincoln Street in a northeasterly direction and crossing the easterly line of said Lincoln Street at or near the northerly line of said Lindsay Street; thence continuing on to and across private property parallel to the northerly line of Lindsay Street and distant 4 feet northerly therefrom to a point approximately 85 feet westerly from the westerly line of Monroe Street.

"SPUR TRACK No. 2:

"Beginning at the point of switch in the center line of above mentioned spur track No. 1, said point being in Lincoln Street and approximately 22 feet easterly of the westerly line of Lincoln Street; thence in a northeasterly direction with switch and turnout to the left and crossing the easterly line of Lincoln Street at or near the northerly line of Lindsay Street; thence continuing on to and across private property parallel to the northerly line of Lindsay Street and distant 16 feet northerly therefrom to a point on the westerly line of Monroe Street.

"SPUR TRACK No. 3:

"Beginning at the point of switch in the center line of the above described Spur Track No. 1, said point being approximately 65 feet westerly of the westerly line of Lincoln Street; thence in a northeasterly direction with switch and turnout to the left crossing the westerly line of Lincoln Street approximately 10 feet southerly of the northerly line of Lindsay Street; thence across said Lincoln Street in a northeasterly direction and crossing the easterly line of said Lincoln Street approximately 20 feet northerly of the northerly line of Lindsay Street; thence continuing on to and across private property parallel to the northerly line of Lindsay Street and distant 76 feet therefrom to a point approximately 20 feet westerly of the westerly line of Monroe Street."

All of the above as shown by the map attached to the application; said crossings to be constructed subject to the following conditions, viz:

- (1) The entire expense of constructing the crossings,

together with the cost of their maintenance in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said streets now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding one (1) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(4) The authorization herein granted for the installation of said crossings shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

This order shall become effective three (3) days after the making thereof.

Dated at San Francisco, California, this 27th day of April, 1923.

C. Seaver
H. B. ...
Dwight ...

J. ...
Commissioners