

Decision No. 12346

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of Application of )  
SOUTHERN PACIFIC COMPANY for an )  
order authorizing the construc- )  
tion at grade of spur track )  
crossing a portion of County Road )  
in the vicinity of Tracy, County )  
of San Joaquin, State of California)

Application No. 9189

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, having on July 5, 1923, filed with the Commission an application for permission to construct a spur track at grade across County Road in the vicinity of Tracy, 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 Board of Supervisors of said County of San Joaquin, for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said County Road, 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 Southern Pacific Company to construct a spur track at grade across County Road in the vicinity of Tracy, County of San Joaquin, State of California, described as follows:

BEGINNING at a point located in the center line of the existing track located in the County Road near the City of Tracy, said point being located 510 feet southerly along said track from the section line common to Sections 22 and 27, in Township 2 South of Range 5 East, Mount Diablo Base and Meridian; thence Southeasterly with turnout to the left angle  $80^{\circ} 10'$ , 60 feet to the northerly line of the aforesaid County road; thence continuing tangent to said line, being in all 180 feet.

All of the above as shown by the map (Stockton Division Drawing No.A-2056) attached to the application; said crossing to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of said road now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding four (4) per cent; shall be protected by a suitable crossing sign, 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 crossing.

(4) The authorization herein granted for the installation of said crossing will 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 crossing 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 13<sup>th</sup> day of July, 1923.

C. S. Seavey  
H. B. Brundage  
J. W. Martin  
Stockton Division

Commissioners.