

Decision No. 13299

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of application of)
Southern Pacific Company for an)
order authorizing the construction)
at grade of a spur track across)
County road, in the vicinity of)
Jarn, County of San Joaquin, State)
of California.)

Application No. 9878.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 13th day of March, 1924, asking for authority to construct a temporary spur track at grade across the W.B. West Road #203 in the vicinity of Jarn, County of San Joaquin, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Supervisors of said County for the construction of said crossing at grade, and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable to avoid a grade crossing with said W.B. West Road #203 and that this application should be granted subject to the conditions hereinafter specified.

THEREFORE IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to Southern Pacific Company

to construct a temporary spur track at grade across the W.B. WEST Road #203, in the vicinity of Jarn, County of San Joaquin, State of California, as follows:

Beginning at a point on the center line of said spur track where same intersects the southerly right of way of the W.B. West Road #203, said point being 36 feet in easterly direction from the center line of the Central Pacific Railway Company's main line from Tracy to Brighton and measured at right angles thereto from said Central Pacific Railway Company's Engineer Station 2085 plus 74.6; thence parallel to said Central Pacific Railway Company's main line for 50 feet across said W.B. West Road to railway property.

All of the above as shown by the map (Stockton Division Drawing No. A 2250, Sheet 1; G.M.O. 56733) 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 W.B. West Road #203 now graded, with the top of rails flush with the pavement; and with grades of approach not exceeding ten (10) 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 and six months from the date of this order at which time spur track

crossing shall be removed from county road by applicant and the road restored to proper grade lines and surface for main track crossing.

(5) Applicant shall notify this Commission in writing, of the abandonment of this temporary crossing within thirty (30) days after spur track has been removed.

(6) 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 22d day of March, 1924.

O. S. Leary

David MacLean

J. H. Whittey

Commissioners.