

Decision No. 13387.

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 a spur
track at grade across Monroe and
Van Buren Streets, public highways
in the City of Stockton, County of
San Joaquin, State of California.

Application No. 9886.

ORIGINAL

BY THE COMMISSION:

O R D E R

The Western Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 17th day of March, 1924, asking for authority to construct a spur track at grade across Monroe and Van Buren Streets in the City of Stockton, County of San Joaquin, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 875) has been granted by the City Council of said City for the construction of said crossings 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 at this time to avoid grade crossings with said Monroe and Van Buren Streets at the points mentioned in the application 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 The Western Pacific Railroad Company to construct a spur track at grade across

Monroe and Van Buren Streets in the City of Stockton, County of San Joaquin, State of California, as follows:

Beginning at point of switch in the center line of the track of The Western Pacific Railroad Company as the same now exists along and upon Church Street, in the City of Stockton, County of San Joaquin, State of California; said beginning point being distant 232.4 feet, measured easterly along said center line from the easterly line of Lincoln Street; thence in an easterly direction, with switch and turn-out to the right, approximately 108 feet to a point, crossing the westerly line of Van Buren Street approximately 25 feet northerly of the southerly line of Church Street; thence on a curve to the left approximately 68 feet to a point, crossing the easterly line of said Van Buren Street approximately 18 feet northerly of the southerly line of said Church Street; thence on a tangent to said curve, distant 13 feet from and parallel to the center line of said Railroad Company's track, measured southerly at right angles to said center line, approximately 373 feet to the point of termination, crossing the westerly and easterly lines of Monroe Street approximately 18 feet northerly of the southerly line of said Church Street; being a total length of 550 feet from the point of beginning.

The above as shown by the map (marked Exhibit "A") 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 thereafter 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 the grades of approach not exceeding four (4) 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) If said crossings shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, 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 7th day
April
of ~~March~~, 1924.

W. C. Seavey
H. B. Burdick
Dwight Martin

Commissioners.