

Decision No. 14121.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
THE CITY OF STOCKTON for permission  
to construct a crossing at grade over  
the Southern Pacific tracks at Scotts  
Avenue in said City.

Application No. 10,273.

ORIGINAL

BY THE COMMISSION:

O R D E R

The City of Stockton, County of San Joaquin, State of California, having filed the above entitled application with this Commission on the 12th day of July, 1924, asking for authority to construct Scotts Avenue at grade across the tracks of Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company in said City, as hereinafter set forth. Said railroad companies have signified by letter that they have no objection to 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 at this time to provide a separated grade crossing at the point mentioned in this Application or to avoid a grade crossing with said tracks, 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 City of Stockton, County of San Joaquin, State of California, to construct Scotts Avenue at grade across the tracks of Southern Pacific Company and The Atchison,

Topeka and Santa Fe Railway Company, as shown by the map (Exhibit "A") attached to the application, said crossing to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of its maintenance up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company, respectively, as to the tracks owned.

(2) The crossing shall be constructed of a width not more than thirty (30) feet and at an angle of ninety (90) degrees to the railroads and with grade of approach not greater than two (2) per cent; shall be protected by suitable crossing signs and such protective devices as this Commission may find to be desirable at any time in the future, such signs and/or devices to be installed at expense of applicant but maintained and operated at expense of Southern Pacific Company, and shall in every way be made safe for the passage thereon 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) If said crossing 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 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 two (2) days from the making thereof.

*October* Dated at San Francisco, California, this 2<sup>nd</sup> day of ~~September~~, 1924.

*H. B. Brundage*

*Irving Master*

*J. T. Whitney*  
Commissioners.