

Decision No. 14485

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of )  
San Joaquin County for Permission to )  
Abandon the Present Public Highway )  
Crossing over the Right-of-way and )  
Tracks of the Southern Pacific Railroad )  
for the W. B. West Road #203 and for )  
Permission to Install a New Public )  
Highway Crossing in Lieu Thereof. )

Application No. 10640

ORIGINAL

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of San Joaquin, State of California, filed the above entitled application with this Commission on the 28th day of November, 1924, asking for authority to abandon an existing public crossing at grade of W. B. West Road No. 203 over the tracks of Southern Pacific Co. in said county, as hereinafter set forth and for authority to construct a new public crossing at grade of W. B. West Road No. 203 over the tracks of Southern Pacific Co. in said county as hereinafter set forth. Said Southern Pacific Co. has signified by letter that it has no objection to the relocation 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 grade separation or to avoid a grade crossing with said tracks at the point mentioned in this 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 Board of Supervisors of the County of San Joaquin, State of California, to construct

a public road at grade across the tracks of Southern Pacific Co.  
as follows:

"Beginning at a point in the westerly line of the right-of-way of the C. P. Railway and 50 feet distant at right angles westerly from the center line of the original main track of said C. P. Railway as it exists between Tracy and Brighton, and opposite E. S. 2089+478, said point being in the northerly line of an easement given to the U. S. Government for maintaining a levee and canal along Calaveras River; thence from said beginning north  $85^{\circ}$  east, 100.96 feet across railroad property to easterly right-of-way line; thence S.  $2^{\circ} 55'$  E. 60.58 feet along said railway right-of-way; thence S.  $85^{\circ}$  W. 100.96 feet to westerly right-of-way line; thence N.  $2^{\circ} 55'$  W. 60.58 feet along said right-of-way line to point of beginning and containing 0.15 acres."

and as shown by the map (Stockton Division Drawing No. B-2263) attached to the application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing shall be borne by the applicant except the expense of constructing the crossing between the rails and two (2) feet outside of the outside rails and the expense of grading the roadway across the 100 foot right-of-way of Southern Pacific Co. The expense of constructing the crossing between the rails and two (2) feet outside of the outside rails and the expense of grading the roadway across the 100 foot right-of-way of Southern Pacific Co. shall be borne by said Southern Pacific Co. 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 Co.

(2) The crossings shall be constructed of a width not less than twenty-four (24) feet and at an angle of eighty-eight (88) degrees to the railroad and with grades of approach not greater than two (2) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) The existing public crossing of W. B. West Road

No. 203 located at following described place:

"Beginning at a point in the westerly line of the right-of-way of the C. P. Railway and 50 feet distant at right angles westerly from the center line of the original main track of said railway and opposite E. S. 2085 + 78.6; thence from said point of beginning N. 2° 55' W. 50 feet along said westerly right-of-way line; thence N. 87° 05' E. 100 feet across railway property to easterly right-of-way line of said railway Company; thence along said railway easterly right-of-way line S. 2° 55' E. 50 feet; thence S. 87° 05' W. 100 feet to point of beginning, and containing 0.12 acres +."

shall be legally abandoned and effectively closed to public use and travel.

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

(5) 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.

(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 ten (10) days from the making thereof.

Dated at San Francisco, California, this 27<sup>th</sup> day of January, 1925.

W. H. Bernard  
Al. ...  
Ernest Shore  
George D. Quines  
Ernest ...  
Commissioners.

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