

Decision No. 14834

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
The Board of Supervisors of the)
County of Stanislaus, State of)
California, for a crossing over the)
Atchison, Topeka and Santa Fe Rail-)
way Company's right-of-way about)
one-half mile Southeast of Hughson.)

Application No. 10944.

BY THE COMMISSION:

O R D E R

ORIGINAL

The Board of Supervisors of the County of Stanislaus, State of California, filed the above entitled application with this Commission on the 24th day of March, 1925, asking for authority to construct a public road at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company in said County, as hereinafter set forth. The Atchison, Topeka and Santa Fe Railway Company has signified by letter that it has no objection to the construction of said crossing at grade, providing the crossing now existing over their tracks approximately four hundred feet northerly from the proposed crossing be abandoned, 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; that there is no reason why the existing crossing cannot be abandoned, 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 Stanislaus, State of California, to construct a

road at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company, as shown by the map (R.R. Crossing over A.T. & S.F. R.R. about $\frac{1}{2}$ Mi. S.E. from Hughson) 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 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 The Atchison, Topeka and Santa Fe Railway Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of The Atchison, Topeka and Santa Fe Railway Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than seven and one-half 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 located approximately four hundred feet northerly from the crossing herein granted 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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 22^d day of April, 1925.

O. Seavey
 Egerton Shore

Ernest Davis
Commissioners.