

Decision No. 15856

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of City of Stockton, a municipal corporation, for an order permitting the crossing at grade over the tracks of The Atchison, Topeka & Santa Fe Railway Company, a corporation, at the intersection of Washington Street with Edison Street in said City.

ORIGINAL

Application No. 12341.

BY THE COMMISSION:

O R D E R

The City Council of the City of Stockton, County of San Joaquin, State of California, filed the above entitled application with this Commission on the 21st day of December, 1925, asking for authority to construct a public street, known as Washington Street, at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company in said City, as hereinafter set forth. Said railway company has signified by letter that it has no objection to the construction of said crossing at grade. It appears that the opening of this crossing will afford a direct route to the Borden Highway and will take practically all of the travel off of the crossing at Main Street, the present connection with the Borden Highway. It further 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,

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THEREFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to the City Council of the City of Stockton, County of San Joaquin, State of California, to construct Washington Street at grade across the tracks of 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, namely:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of said crossing 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 thirty (30) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than two per cent; shall be constructed equal or superior to type of crossing designated as Standard No. 3 in General Order No. 72 of this Commission; 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) 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.

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

Dated at San Francisco, California, this 15th day of January, 1926.

H. A. Brundage

C. Seaver

George D. Squires

Leon Williams

Commissioners.