

ORIGINAL

Decision No. 16051.

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 Yosemite Street,
a public street in the City of Stock-
ton, County of San Joaquin, State of
California.

Application No. 12537.

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 15th day of February 1926, asking for authority to construct a spur track at grade crossing Yosemite Street in the City of Stockton, County of San Joaquin, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance 998) has been granted by the City Council of said City of Stockton for the construction of said crossing at grade. 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 at the point mentioned in this application with said Yosemite Street 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 Yosemite Street, in

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the City of Stockton, County of San Joaquin, State of California,
as follows:

Beginning at a point in the center line of The Western Pacific Railroad Company's Stockton North Channel Spur, distant thereon westerly, approximately 70 feet from the westerly line of Yosemite Street; thence in a general easterly direction with turnout to the left, approximately 80 feet, crossing the westerly line of Yosemite Street approximately 265 feet southerly from the southerly line of Fremont Street; thence on a curve to the right having a radius of 573.68 feet, a distance of approximately 82 feet to a point 13 feet northerly measured at right angles from the center line of said North Channel Spur, crossing the easterly line of said Yosemite Street, approximately 270 feet southerly of the southerly line of said Fremont Street; thence in an easterly direction 13 feet from and parallel with said center line of said spur a distance of approximately 140 feet,

and 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 together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing shall be constructed equal or superior to type shown as Standard No. 3 in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said Yosemite Street now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding two (2) per cent; shall be protected by a suitable crossing sign, 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 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 8th day of March, 1926.

H. B. Rindig
C. L. Seaver
Emmott
Leon Whitell

Commissioners.