

Decision No. 16962

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of
Southern Pacific Company for an
order authorizing the construction
at grade of a drill track across
Harrison, Edison and Church Streets,
and across three tracks of The
Atchison, Topeka and Santa Fe Rail-
way Company, in the City of Stockton,
County of San Joaquin, State of
California.

ORIGINAL

Application No. 11644.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 26th day of August, 1925, asking for authority to construct a drill track at grade across Harrison, Edison and Church Streets and across three tracks of The Atchison, Topeka and Santa Fe Railway Company, in the City of Stockton, County of San Joaquin, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 955) has been granted by the City Council of said City for the construction of said crossings at grade and The Atchison, Topeka and Santa Fe Railway Company has stated that it does not oppose the granting of the application to cross its tracks. 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 grade separations or to avoid grade crossings at the points mentioned in this application with said streets and 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 Southern Pacific Company to construct a drill track at grade across Harrison, Edison and Church Streets, in the City of Stockton, County of San Joaquin, State of California, as follows:

Commencing at the intersection of the easterly line of Harrison Street with the Southerly line of Church Street; thence northeasterly along the said Southerly line of Church Street, a distance of 18.00 feet, more or less, to the point of beginning of the center line of track to be described; thence northwesterly upon and along Church Street on a tangent, a distance of 18.00 feet, more or less, to point of curve; thence Northwesterly upon and along Church Street, and its intersection with Harrison Street, on a curve, concave to the left, having a radius of 424.66 feet (tangent to said curve at the last mentioned point is the last described course), a distance of 194.4 feet to a point, said point being 13.00 feet at right angles southerly from the northerly line of Church Street; thence southeasterly parallel to and 13.00 feet at right angles southerly from the said northerly line of Church Street and crossing Edison Street (tangent to last described curve, a distance of 557.00 feet, more or less, to a point of curve; thence northwesterly upon and along Church Street, on a curve, concave to the right, having a radius of 357.17 feet (the tangent to said curve at the last mentioned point is the last described course), a distance of 103.00 feet, more or less, to a point in the said northerly line of Church Street; said point being 375.00 feet, more or less, westerly measured along the said northerly line of Church Street from the westerly line of Edison Street.

and as shown by the map (Stockton Division Drawing No. C-2611) attached to the application; said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossings together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed substantially in accordance with Standard No. 3, as specified in General Order No. 72 of this Commission and shall be constructed of a width to conform to those portions of said streets 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 suitable crossing signs, and shall

in every way be made safe for the passage thereover of vehicles and other road traffic.

IT IS HEREBY FURTHER ORDERED, that permission and authority be and it is hereby granted to Southern Pacific Company to construct a drill track at grade across three tracks of The Atchison, Topeka and Santa Fe Railway Company, in the City of Stockton, County of San Joaquin, State of California, as follows:

Beginning at a point in the easterly line of Edison Street, 13 feet southerly from the northerly line of Church Street; thence westerly across Edison Street and three tracks of The Atchison, Topeka and Santa Fe Railway Company to a point in the westerly line of Edison Street 13 feet southerly from the northerly line of Church Street.

and as shown by the map (Stockton Division Drawing No. C-2611) attached to the application; said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossings together with the cost of their maintenance thereafter in good and first-class condition shall be borne by applicant.

(2) All trains, motors, engines and cars of applicant shall stop before crossing the tracks of The Atchison, Topeka and Santa Fe Railway Company and shall not proceed thereover until the conductor or other competent employee has gone upon the crossing to ascertain that it is safe to do so and shall have given a suitable signal to proceed.

(3) Derailing switches of a type and installed in accordance with plans or data approved by the Commission shall be installed in the track of applicant on each side of said crossings at least fifty (50) feet distant from the nearest track of The Atchison, Topeka and Santa Fe Railway Company.

IT IS HEREBY FURTHER ORDERED, that,

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

(2) If said crossings 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.

(3) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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 19th day of June, 1926.

H. B. Brundage

C. Seaver

Leon Whitall

Commissioners.