

Decision No. 17022

ORIGINAL

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 Southern
Pacific Company's right-of-way, at or
near the Southerly corner of Lot 18 of
the Wright Subdivision near Turlock,
California.

Application No. 12652.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Stanislaus, State of California, filed the above entitled application and amended application with this Commission on the 19th day of March, 1926, and the 11th day of June, 1926, respectively, asking for authority to construct public crossings at grade across the tracks of Southern Pacific Company at or near the southerly corner of Lot 18 of the Wright Subdivision near Turlock, in said County, as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the construction of said crossings at grade and has agreed to pay the cost of constructing the crossings. 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 with said tracks at the points 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 Stanislaus, State of California, to construct public crossings at grade across the tracks of Southern Pacific Company as follows:

Beginning at a point in the southwesterly right-of-way line of said C.P. Ry. Co. 50 feet distant from the center line of said C.P. Ry. Co.'s main track and on a prolongation of the southeasterly boundary line of block 18 of Wright's Sub-division adjacent to the City of Turlock; thence N. $42^{\circ} 21'$ W. 60 feet along said southwesterly right-of-way line; thence N. $47^{\circ} 39'$ E. 100 ft. to a point in the northeasterly right-of-way line of said C.P. Ry. Co.; thence S. $42^{\circ} 21'$ E. 60 feet along said northeasterly right-of-way line; thence S. $47^{\circ} 39'$ W. 100 feet to the point of beginning.

and as shown by the map attached to the application, said crossings to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossings shall be borne by Southern Pacific Company. The cost of maintenance of said crossings up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossings between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossings shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.

(2) The crossings shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad main tracks and with grades of approach not greater than three (3) per cent; shall be constructed substantially in accordance with Standard No. 3 for main tracks and Standard No. 2 for industrial drill track, as specified in General Order No. 72 of this Commission; shall be protected by suitable crossing signs 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 in-

stallation of said crossings.

(4) 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.

(5) 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 28th day of June, 1926.

H. B. Randall

C. Lewis

Edward

Commissioners.