

ORIGINAL

Decision No. 17181.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of TIDEWATER SOUTHERN RAILWAY
COMPANY for permission to construct
a spur track at grade across "C"
and "D" Streets, Public Streets,
in the City of Turlock, County
of Stanislaus, State of California.

Application No. 13045.

BY THE COMMISSION:

O R D E R

Tidewater Southern Railway Company, a corporation, filed the above-entitled application with this Commission on the 22nd day of July, 1926, asking for authority to construct a spur track at grade across "C" and "D" Streets in the City of Turlock, County of Stanislaus, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 212) has been granted by the Board of Trustees of said City for the construction of said crossings 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 grade separations, or to avoid grade crossings at the points mentioned in this application with said Streets 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 Tidewater Southern Railway Company to con-

struct a spur track at grade across "C" and "D" Streets in the City of Turlock, County of Stanislaus, State of California, as follows:

Beginning at a point in the center line of the existing track of the Applicant in Fifth Street, said point being approximately 100 feet southeasterly from the southeasterly line of "B" Street; thence in a straight line in a general southeasterly direction approximately 10 feet northeasterly from and parallel with the southwesterly line of said Fifth Street to a point approximately 200 feet southeasterly from the southeasterly line of "D" Street and crossing the northwesterly and southeasterly lines of "C" Street and the northwesterly and southeasterly lines of "D" Street approximately 10 feet northeasterly from the said southwesterly line of Fifth Street.

and as shown by the map (Exhibit "A") attached to the application; said crossings to be constructed subject to the following conditions, namely:

(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 equal or superior to type shown as Standard No. 2, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to those portions of said streets now graded, with the tops of rails at same elevation as main line rails and flush with the roadway, and with grades of approach not exceeding one (1) 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.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation 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 2nd day of

August, 1926.

J. H. B. ...

C. ...

Leon ...

J. ...

Commissioners.