

Decision No. 17334

ORIGINAL

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)
side track across a portion)
of Weber Avenue and across)
Edison Street, in the City of)
Stockton, County of San Joa-)
quin, State of California.)

Application No. 13140

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 27th day of August, 1926, asking for authority to construct a spur track at grade across a portion of Weber Avenue and across Edison Street, in the City of Stockton, County of San Joaquin, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 1013) has been granted by the City Council 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 Avenue and 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 Southern Pacific to construct a spur

track at grade across a portion of Weber Avenue and across Edison Street in the City of Stockton, County of San Joaquin, State of California, as follows:

Beginning for a center line description of said track at a point on an existing drill track of the Southern Pacific Railroad Company now located in Weber Avenue, said point of beginning being 29 feet more or less, Southerly from the Northerly property line of Weber Avenue and 29 feet more or less Easterly from the Easterly property line of Edison Street produced, said foregoing distances being measured at right angles to said respective property lines; thence from said point of beginning with switch and turnout to the right angle $80^{\circ} 10'$, Northwesterly along Weber Avenue for 29.6 feet more or less to the point of intersection of the center line of said proposed track and the Easterly line of Edison Street produced. Said point of intersection being 20 feet more or less, Southern from the Northeast corner of Edison Street and Weber Avenue thence continuing on said turnout, across the intersection of Edison Street and Weber Avenue for 30.80 feet more or less to the beginning of a curve to the right (radius 462.29 feet), thence continuing on said curve to right for 8.0 feet more or less to the North line of Weber Avenue produced; said point being located 35.9 feet more or less, Westerly from the Northeast corner of Weber Avenue and Edison Street, thence continuing across Edison Street 20.8 feet to end of said curve: thence on tangent to said curve 53.2 feet to the Westerly line of Edison Street said last mentioned point being 28.2 feet Northerly from the Northwest corner of Weber Avenue and Edison Street. The portion of said track in public streets being in all 122.5 feet more or less.

and as shown by the map (Stockton Division Drawing A-2775) 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, flush with the pavement, 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 10th day of September, 1926.

H. R. Brundage
C. Seaver
Thos. D. Rutter

Commissioners.