

ORIGINAL

Decision No. 17352.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of the Western Pacific Railroad
Company for permission to con-
struct a spur track at grade along
Harrison Street and across Main
Street, public streets in the City
of Stockton, County of San Joaquin,
State of California.

Application No. 13147.

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 1st day of September, 1926, asking for authority to construct a spur track at grade across a portion of Harrison Street and across Main Street in the City of Stockton, County of San Joaquin, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 1019) 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 Harrison and Main 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 The Western Pacific Railroad Company to construct a spur track at grade across a portion of Harrison Street and across Main Street, in the City of Stockton, County of San Joaquin, State of California, as follows:

Beginning att a point in the center line of an existing track of the Applicant in Harrison Street in the City of Stockton, County of San Joaquin, State of California, distant southerly thereon 59 feet from the southerly line of Main Street; thence in a general northerly direction along a turnout to the right 74 feet, crossing said southerly line of Main Street 17.5 feet easterly from the westerly line of Harrison Street; thence along a curve concave to the right, having a radius of 268.8 feet, a distance of 51 feet to a point 10 feet easterly, measured at a right angle from said westerly line of Harrison Street and 7.5 feet northerly from the northerly line of said Main Street, crossing the northerly line of said Main Street 10.1 feet easterly from the said westerly line of Harrison Street; thence in a northerly direction, 10 feet easterly from and parallel with the said westerly line of Harrison Street, a distance of approximately 236 feet to the point of termination.

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 substantially in accordance with Standard No. 4, 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 flush with the pavement and with grades of approach not exceeding one (1) per cent; shall be protected by suitable

crossings 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 20th day of September, 1926.

H. B. Brundage
C. E. Brown
Emm. D. Scott
Leon A. White
J. S. & R. L. Smith
Commissioners.