

Decision No. 17680.

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 spur track along Hazelton Avenue, crossing Aurora Street, and a spur track along Sonora Street, crossing Aurora Street, in the City of Stockton, County of San Joaquin, State of California.

ORIGINAL

Application No. 13,324.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 17th day of November, 1926, asking for authority to construct two spur tracks at grade across certain streets, in the City of Stockton, County of San Joaquin, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 1027) 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 Hazelton Avenue and Aurora and Sonora 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 Southern Pacific Company to construct two spur

tracks, one at grade across a portion of Hazelton Avenue and at grade across Aurora Street and the other at grade across a portion of Sonora Street and at grade across Aurora Street, all in the City of Stockton, County of San Joaquin, State of California, as follows:

Track No. 1, Hazelton Avenue Spur.

1. Beginning at a point in the center line of existing drill track on Hazelton Avenue approximately 75 feet east of the east line of Grant Street, City of Stockton, and thence easterly with switch and turnout to the left (angle $8^{\circ} 10'$) along Hazelton Avenue crossing Aurora Street and curving to right paralleling the north line of Hazelton Avenue and approximately 10 feet therefrom to the west line of Sacramento Street having a total length of 615 track feet.

The above crossing shall be identified as Crossing No.D90.5-S.

Track No. 2, Sonora Street Spur.

2. Beginning at a point in existing drill track of the Central Pacific Railway Co. on its right of way along Sacramento Street approximately 40 feet from the north line of Church Street, City of Stockton, thence with switch and turnout to the left (angle $8^{\circ} 10'$), and continuing on curve to left through private property and along Sonora Street to the east line of Aurora Street, thence crossing Aurora Street and continuing to the east line of Grant Street, having a total length of 925 track feet;

The above crossing shall be identified as Crossing No.D90.7-S, all as shown by the map (Drawing No. B-2835) 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 crossing of Track No. 1 shall be constructed substantially in accordance with 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 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.

(3) Said crossing of Track No. 2 across a portion of Sonora Street shall be so constructed that grades of approach not exceeding two (2) per cent will be feasible in the event that the construction of roadway along said Sonora Street shall hereafter be authorized and so that said grade crossing may be made safe for the passage thereover of vehicles and other road traffic.

(4) This order is made upon the express condition that Sonora Street is not now actually constructed and open to travel at the respective points of the crossing, and said order shall not be deemed as authorization for the construction of an opening of said street to public use across said railroad tracks.

(5) Said crossing of Track No. 2 across Aurora Street shall be constructed substantially in accordance with 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 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.

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

(7) 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.

(8) The Commission reserves the right to make such further orders relative to the location, construction, operation, mainten-

ance 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 29th day of November, 1926.

H. B. Prud'homme
C. L. ...
Edward ...
Leon ...
Thos. ...
Commissioners.