

Decision No. 17821

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of
 Southern Pacific Company for an
 order authorizing the construc-
 tion at grade of a spur track
 across Minerva Street, also a
 spur track across alley in Block
 10, in the City of Turlock, Coun-
 ty of Stanislaus, State of
 California.

Application No. 13386.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 15th day of December, 1926, asking for authority to construct a spur track at grade across Minerva Street and an alley in Block 10, in the City of Turlock, County of Stanislaus, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution dated November 3rd) 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 street and alley 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 a spur track at grade across Minerva Street and an alley in Block 10, in the City of Turlock, County of Stanislaus, State of California, at the

locations hereinafter particularly described and as shown by the map (Stockton Division Drawing B-2839) attached to the application.

DESCRIPTION OF CROSSINGS

Commencing at a point in the center line of existing drill track in Block 11, Wright's Subdivision in the City of Turlock, 125-ft. east of the east line of Front Street; thence on curve to right and on private property to the south line of Minerva Street; thence 67 ft. across Minerva St. to the north line of Minerva St. 141.5 ft. east of the east line of Front Street; thence on private property in Block 10 to a point on the east line of alley 299 ft. north of north line of Minerva Street; thence 85 ft. across the alley to the west line of alley 200 ft. south of the south line of East Avenue; thence on private property to end of track.

The above crossing of Minerva Street shall be identified as Crossing No. -B-127.69S and that of the Alley as -B-127.71S.

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. 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 street and alley now graded, with tops of rails flush with the roadway, 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) 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 30th day of

December, 1926.

H. H. Bunnell

C. B. Bunnell

Leon O'Neil

Thos. B. Bunnell

Commissioners.