

Decision No. 18083.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of THE WESTERN PACIFIC RAILROAD
COMPANY for permission to construct
a spur track at grade across Van
Buren Street, a public street in
the City of Stockton, County of
San Joaquin, State of California

Application No. 13,536.

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 15th day of February, 1927, asking for authority to construct a spur track at grade across Van Buren Street in the City of Stockton, County of San Joaquin, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 1,044) has been granted by the City Council of said City of Stockton for the construction of said crossing 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 separation or to avoid a grade crossing at the point mentioned in this application with said Van Buren 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 The Western Pacific Railroad Company to con-

struct a spur track at grade across Van Buren Street in the City of Stockton, County of San Joaquin, State of California, at the location hereinafter particularly described and as shown by the map (Exhibit "A") attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the center line of the existing track of the applicant in Block 12, S.M.C., in the City of Stockton, County of San Joaquin, State of California, said point being on the southerly line of Hazelton Avenue and distant thereon approximately 135 feet westerly from the westerly line of Van Buren Street; thence in a general southeasterly direction, with turn-out to the left, approximately 70 feet; thence continuing in a general southeasterly direction a distance of approximately 530 feet to the southeasterly corner of Block 13, S.M.C.; crossing the westerly line of said Van Buren Street approximately 87 feet southerly from said southerly line of Hazelton Avenue; also crossing the easterly line of said Van Buren Street approximately 135 feet southerly from said southerly line of Hazelton Avenue.

Said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing together with the cost of its 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 shall be constructed equal or superior to type shown as Standard No. 3, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said street 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 a suitable crossing sign and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) The existing spur track crossing of Van Buren Street from twenty-five (25) to forty (40) feet south of the crossing herein granted shall be raised so as to be level with the pavement and re-

constructed as a No. 3 crossing.

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

(5) If said crossing 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.

(6) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing 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 21st day of March, 1927.

Edmund C. ...
H. B. ...
C. ...
Leon ...
... ..
Commissioners.