

Decision No. 18650

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 two spur tracks across 7th Street, in the City of Livingston, County of Merced, State of California.

Application No. 13938.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 15th day of July, 1927, asking for authority to construct two spur tracks at grade across Seventh Street in the City of Livingston, County of Merced, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 14) 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 Seventh 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 Company to construct two spur tracks at grade across Seventh Street in the City of Livingston, County of Merced, State of California, at the locations hereinafter

particularly described and as shown by the map (Stockton Division Drawing No. C-2829) attached to the application.

Description of Crossings

No. 1

Beginning in the center line of an existing side track located in Block 2 of the Livingston Realty Company Subdivision of the City of Livingston, said point being located on private property; thence with a turnout and switch to the right across private property to a point in the east line of 7th Street said point being located North 115 ft. from the north line of "D" Street; thence continuing across 7th Street 55 ft. to the west line of 7th Street, to a point 108.5 ft. north of the north line of "D" St.

No. 2

Beginning at a point in the center line of the last above mentioned described track, said point being in the east line of 7th Street; thence westwardly with a switch and turnout to the left across 7th Street 55 ft. to a point in the west line of said 7th Street 104.5 ft. North of the North line of "D" St.

The above crossing shall be identified as Crossing No. B-137.0-C.

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 of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway 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.

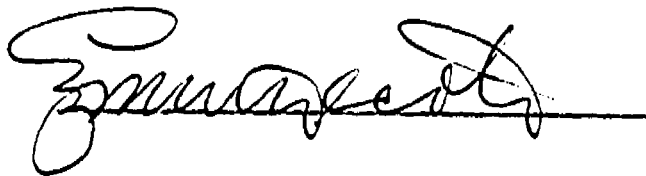
(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

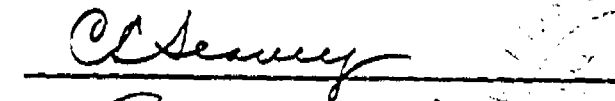
(4) If said crossings shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(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 19th day of July, 1927.







Commissioners.