

Decision No. 18678

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,
maintain and operate a branch line
of railroads at grade over and across
certain county roads in the County
of San Joaquin, State of California.

ORIGINAL

Application No. 13897.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, filed the above-entitled application with this Commission on the 30th day of June, 1927, and a supplement thereto on July 19, 1927, asking for authority to construct its Terminus Branch track at grade across two public roads in the County of San Joaquin, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 385) has been granted by the Board of Supervisors of said County 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 county roads 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 its Terminus Branch track at grade across two county roads in the County of San Joaquin, State of California, at the locations hereinafter particularly described and as shown by the map (C.E.-46-5) attached to the amended application.

DESCRIPTION OF CROSSINGS

Beginning at a point in the center line of the main line of Applicant, in Mile 106, approximately 2480 feet northerly from Kingdon Depot, said point being 1576.8 feet westerly, measured along the north line of Section 18, Township 3 North, Range 6 East, M.D.B. & M., from the northeast corner thereof, and south 23 degrees 47 minutes east, 2173.0 feet from the north line of said Section 18; thence diverging on a curve to the left approximately 1049 feet; thence in a general westerly direction through the northerly half of Section 18, Township 3 North, Range 6 East, M.D.B. & M., Sections 13, 14, 15, 16, 17 and 18, Township 3 North, Range 5 East, M.D.B. & M., to a point on the easterly bank of Potato Slough in Section 13, Township 3 North, Range 4 East, M.D.B. & M., at, or near Terminus, said proposed branch line crossing the following County Roads:

FIRST: In Section 15, Township 3 North, Range 5 East, M.D.B. & M., at a point 285.7 feet south of the north line of said Section 15, and 900.5 feet east of the west line of said Section 15.

The above crossing shall be identified as Crossing No. 4 H - 109.05.

SECOND: In Section 18, Township 3 North, Range 5 East, M.D.B. & M., at a point 285.7 feet south of the north line of said Section 18, and 2129.5 feet east of the west line of said Section 18.

The above crossing shall be identified as Crossing No. 4 H - 111.25.

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 equal or super-

ior to type shown as Standard No. 2, in General Order No. 72 of this Commission and shall be constructed of a width to conform to those portions of said county roads now graded, and with grades of approach not exceeding four (4) 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 4th day of August, 1927.

O. S. Leavy
Leon Whitehall
Thor S. Routh

Commissioners.