

Decision No. 18777

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of  
the Board of Supervisors of the  
County of Stanislaus, State of  
California for a crossing over the  
right-of-way of Southern Pacific  
Co., near Orestimba Creek, in the  
County of Stanislaus, State of  
California.

Application No. 13908.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Stanislaus, State of California, filed the above entitled application with this Commission on the 6th day of July, 1927, asking for authority to construct a public road at grade across the track of Southern Pacific Company in the vicinity of Orestimba Creek, as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the construction of said crossing at grade, and 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 a grade separation or to avoid a grade crossing with said track at the point mentioned in this application, 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 Board of Supervisors of the County of Stanislaus, State of California, to construct a public road at grade across the track of Southern Pacific Company at the point of

intersection of the North and South quarter-section line through Section 10, T. 7 S., R. 8 E., M.D.B. & M., with the track of the so-called gravel pit spur of Southern Pacific Company, and as shown by the map attached to the application.

The above crossing shall be identified as Crossing No. B2-119.65-C.

Said crossing shall be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of the crossing up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of sixty-two (62) degrees to the railroad and with grades of approach not greater than two (2) per cent; shall be constructed substantially in accordance with Standard No. 2 as specified in General Order No. 72 of this Commission; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon 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 crossing.


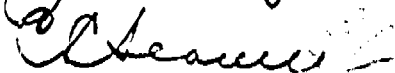

(4) If said crossing shall not have been installed within one year from the date of this order, the authorization

herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(5) 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 10<sup>th</sup> day of September, 1927.

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

Commissioners.