

Decision No. 18803

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

<p>In the Matter of Application of City  of Lodi, a Municipal Corporation,  for Permission to Open, Establish  and Maintain a Crossing, at grade,  at the Intersection of California  Street in said City, and the Wood-  bridge Branch of the Southern Paci-  fic Company's Railway Line.</p>	)
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Application No. 13867.

BY THE COMMISSION:

ORDER

The Board of Trustees of the City of Lodi, County of San Joaquin, State of California, filed the above entitled application with this Commission on the 15th day of June, 1927, asking for authority to construct a public street known as California Street at grade across the track of the Southern Pacific Company, in the City of Lodi, 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 Trustees of the City of Lodi, County of San Joaquin, State of California, to construct California Street at grade across the track of the Southern Pacific Company at the location hereinafter particularly described and as shown by the

map attached to the application.

Description of Crossing

Commencing at a point on the south line of the right-of-way of the Woodbridge branch of the Southern Pacific Railroad, distant 325.5 feet west of the east line of the Northeast Quarter of Section 2, Township 3 North, Range 6 East, M.D.B. & M., and 759.6 feet north of the south line of said quarter; running thence North  $27^{\circ}$  East 60.28 feet to a point on the north line of said right-of-way; thence North  $68^{\circ} 28'$  West along said north line, 64.6 feet to a point on the same; thence South  $27^{\circ}$  West, 60.28 feet to a point on the south line of said right-of-way; thence South  $68^{\circ} 28'$  East, along said south line, 64.7 feet to the point of beginning.

The above crossing shall be identified as Crossing No. IE-104.0.

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

(1) The entire expense of constructing the crossing, including the cost of an automatic flagman, shall be borne by applicant. The cost of maintenance of those portions of said crossing up to lines two (2) feet outside of the outside rails shall be borne by applicant. The cost of maintaining the automatic flagman and that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by the 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 the Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than forty (40) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than one (1) 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 one Standard No. 1 crossing sign and one Standard No. 3 wig-wag, as specified in General Order No. 75 of this Commission,

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 14<sup>th</sup> day  
of ~~August~~ <sup>September</sup>, 1927.

Edward J. [Signature]  
[Signature]

[Signature]

M. J. [Signature]

Commissioners.

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Edward J. Connelley  
Commissioner

Thomas J. Connelley

M. J. Con

Commissioners.