

Decision No. 19511.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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.

Application No. 13867.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER.

The Board of Trustees of the City of Lodi, County of San Joaquin, State of California, applicant herein, on February 9, 1928, filed with this Commission a Supplemental Application in the above entitled proceeding, requesting that the order in Decision No. 18803, dated September 14, 1927, on this proceeding be amended by omitting the requirement that a wig-wag be installed at the expense of applicant in connection with the construction of said crossing.

The Southern Pacific Company has signified by letter that it has no objection to the granting of said supplemental application, provided that if and when traffic warrants the installation of additional protection at said crossing, the wig-wag will be installed at the expense of the City of Lodi.

The Engineering Department of the Commission has investigated this matter and reports that under present conditions a wig-wag is not reasonably required at this crossing and it appears to the Commission that this is not a matter in which a public hearing is necessary and that the supplemental applica-

tion should be granted, therefore,

IT IS HEREBY ORDERED that:

I. Condition (1) of Decision No. 18803, reading as follows:

"(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."

be and it is hereby amended to read as follows:

(1) The entire expense of constructing the crossing 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 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 the applicant, in any manner whatsoever, to the operative property of the Southern Pacific Company.

II. Condition (2) of Decision No. 18803, reading as follows:

"(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."

be and the same is hereby amended to read as follows:

(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, as specified in General Order No. 75 of this Commission, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.

In all other respects, this Commission's order heretofore entered in the above entitled proceeding, shall remain in full force and effect.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 21<sup>st</sup> day of March, 1928.

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*C. L. Seaver*  
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*David R. Howell*  
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*M. J. Linn*  
 Commissioners.