

Decision No. 13690**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 the Board of Supervisors of San Joaquin
 County for a road crossing over tracks
 of the Southern Pacific Company at
 Castle, San Joaquin County, California.

Application No. 11018.

Thomas H. Louttit, Jr., for Applicant.

W. Riseden, for Southern Pacific Company.

Geo. Frioux, for certain land owners.

BY THE COMMISSION:

O P I N I O N

The above entitled application was first filed with this Commission on April 18th, 1925, the same being a viewers' petition begun under the provisions of Section 2694 of the Political Code of the State of California. Thereafter, on December 21st, 1925, by Decision No. 15779, the Supervisors of the County of San Joaquin were granted authority to construct the crossing at grade over the tracks of the Southern Pacific at a point near the station of Castle, as prayed for in the application. Subsequently, the viewers concluded that the new highway should be located along a line about 510 feet to the north of the crossing, as originally proposed and as allowed. For that reason, the Supervisors of said County petitioned the Commission to reopen the proceeding for further hearing and for relocation of the proposed crossing, which petition was granted by order dated February 25th, 1928. Thereupon, a further hearing was held at Stockton on March 20th, 1928, before Examiner

Rowell and evidence taken as to the necessity of the proposed change in location.

It appears that the Supervisors have determined that the new highway connecting West Lane and Cherokee Lane could be more conveniently located some 510 feet north of the line where first projected because all costs or severance damages to property could thereby be avoided. The highway, as relocated, has been completed, with the exception of the crossing, and deeds from all property owners have been filed with the County.

The request for a change in location appears reasonable and in the opinion of the Commission should be granted.

Applicant also requests an extension of time of six months in which to complete the construction of the crossing and this request, also appearing reasonable, will be granted.

O R D E R

IT IS HEREBY ORDERED that Decision No. 15779, dated December 21st, 1925, heretofore entered in this proceeding, be and it is hereby modified as follows:

(1) The description of the crossing to be constructed shall read as follows:

Beginning at a point in the center of the Castle Road No. 578, said point being S. $0^{\circ} 16'$ East 2134.7 feet and North $89^{\circ} 53'$ West 439.9 feet from the Northeast corner of Section 11, Township 2 North, Range 6 East, Mount Diablo Base and Meridian, and run thence South $3^{\circ} 45'$ West 30.06 feet, thence North $89^{\circ} 53'$ West 100.21 feet; thence North $3^{\circ} 45'$ East 60.12 feet; thence South $89^{\circ} 53'$ East 100.21 feet; thence South $3^{\circ} 45'$ West 30.06 feet to the point of beginning.

(2) The limit of time for construction of said crossing shall be extended to six months from the date of this order.

In all other respects this Commission's orders heretofore entered in this proceeding shall remain in full force and effect.

Dated at San Francisco, California, this 2nd day
of May, 1928.

C. Sweeney
E. M. Smith

H. A. Lee
Commissioners.