

Decision No. 13727

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 Tidewater Southern Railway Company
 for permission to construct a spur
 track at grade over and across 5th
 Street, three spur tracks at grade
 over and across 4th Street, two spur
 tracks at grade over and across 3rd
 Street, and a spur track at grade
 over and across the alley in Block
 518, in the City of Turlock, County
 of Stanislaus, State of California.

ORIGINAL

Application No. 14660.

BY THE COMMISSION:

ORDER

Tidewater Southern Railway Company, a corporation, filed the above entitled application with this Commission on the 2nd day of May, 1928, asking for authority to construct a spur track at grade across 5th Street, three spur tracks at grade across 4th Street, two spur tracks at grade across 3rd Street and a spur track at grade across the alley in Block 518, in the City of Turlock, County of Stanislaus, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Trustees of said City 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 5th, 4th and 3rd Streets and the alley in Block 518, 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 Tidewater Southern Railway Company to construct a spur track at grade across 5th Street, three spur tracks at grade across 4th Street, two spur tracks at grade across 3rd Street and a spur track at grade across the alley in Block 518, in the City of Turlock, County of Stanislaus, State of California, at the locations hereinafter particularly described and as shown by the map (Proposed Packing House Facilities - C.E. 28-26) attached to the application.

Description of Crossings

TRACK NO. 1: Beginning at a point in the center line of the existing track of Applicant as located across Block 523, in the City of Turlock, County of Stanislaus, State of California, said beginning point being distant easterly along said center line approximately 34 feet from the easterly line of Lander Avenue; thence easterly along a turnout and curve to the left approximately 175 feet to a point distant $8\frac{1}{2}$ feet, measured northwesterly at a right angle from the northwesterly line of B Street, crossing the southwesterly line of Fifth Street approximately 40 feet northwesterly from the northwesterly line of said B Street, also crossing the northeasterly line of said Fifth Street approximately 15 feet northwesterly from the northwesterly line of said B Street; thence northeasterly through private property, crossing the southwesterly and northeasterly lines of the alley through Block 518 approximately 13 feet northwesterly from the northwesterly line of said B Street; thence continuing northeasterly and crossing the southwesterly line of Fourth Street approximately 50 feet northwesterly thereon from the northwesterly line of said B Street; also crossing the northeasterly line of said Fourth Street approximately 63.5 feet northwesterly thereon from the northwesterly line of said B Street; thence continuing across Block 515, crossing the southwesterly line of Third Street approximately 63 feet northwesterly thereon from the northwesterly line of said B Street, also crossing the northeasterly line of said Third Street approximately 54 feet northwesterly thereon from the northwesterly line of said B Street; and thence continuing northeasterly across private property to point of termination.

TRACK NO. 2: Beginning at a point in the center line of the hereinabove described Track No. 1, distant southwesterly thereon approximately 57 feet from the southwesterly line of Fourth Street; thence northeasterly along a turnout to the right, crossing the southwesterly line of said Fourth Street approximately 44 feet northwesterly from the northwesterly line of said B Street, also crossing the northeast-

erly line of said Fourth Street approximately 50.5 feet northwesterly thereon from the northwesterly line of said B Street; thence continuing northeasterly across private property to point of termination.

TRACK NO. 3: Beginning at a point in the center line of the hereinbefore described Track No. 1, said point being at or near the intersection thereof with the southwesterly line of Fourth Street, distant northwesterly thereon approximately 50 feet from the northwesterly line of said B Street; thence northeasterly along a turnout to the left and along a curve to the right, crossing the northeasterly line of said Fourth Street approximately 75 feet northwesterly thereon from the northwesterly line of said B Street; and thence northeasterly across private property to point of termination.

TRACK NO. 4: Beginning at a point in the center line of the hereinbefore described Track No. 1, distant southwesterly thereon approximately 30 feet from the southwesterly line of Third Street; thence northeasterly along a turnout to the left and along a curve to the right to a point distant 76.5 feet, measured at a right angle northwesterly from the northwesterly line of said B Street, crossing the southwesterly line of said Third Street approximately 65 feet northwesterly thereon from the northwesterly line of said B Street, also crossing the northeasterly line of said Third Street approximately 74 feet distant thereon northwesterly from the northwesterly line of said B Street; and thence northeasterly across private property to point of termination.

The crossing of the spur track across 5th Street shall be identified as Crossing No. 75C-10.04; the crossing of three spur tracks across 4th Street shall be identified as Crossing No. 75C-10.11; the crossing of two spur tracks across 3rd Street shall be identified as Crossing No. 75C-10.18; and the crossing of a spur track across the alley in Block 518 shall be identified as Crossing No. 75C-10.07.

Said crossings to be constructed subject to the following conditions, and not otherwise:

(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 superior to type shown as Standard No. 2, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to those portions of said streets and alley now graded, and flush with the roadway, and with grades of approach not exceeding one (1) per cent; shall be protected by Standard No. 1 crossing signs as specified in General Order No. 75 of this Commission and shall in every way be made suitable 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 15th day of May, 1928.

Leon Whittell

J. S. Seaver

J. M. Whittell

Thos. S. Loring

M. J. Linn

Commissioners.