

ORIGINAL

Decision No. 19867.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of Southern Pacific Company for an order authorizing the construction at grade of a side track across an unnamed avenue, Near the City of Turlock, County of Stanislaus, State of California.

Application No. 14723.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 22nd day of May, 1928, asking for authority to construct a side track at grade across an unnamed street in the vicinity of Turlock, County of Stanislaus, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution, dated May 14th, 1928) has been granted by the Board of Supervisors of said County for the construction of said crossing 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 a grade separation or to avoid a grade crossing at the point mentioned in this application with said street 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 Southern Pacific Company to construct a side track at grade across an unnamed street in the vicinity of Turlock, County of Stanislaus, State of California, at the location hereinafter particularly described and as shown by the map (Stockton Divi-

sion Drawing No. C-3157) attached to the application.

Description of Crossing

Beginning at a point in the Southeasterly line of a 40-ft avenue in Block 20, Wright's Subdivision to Turlock, said point being 156-ft Northeasterly measured along the Southeasterly line of said 40-ft avenue, from the Northerly line of South Front Street, thence Northwesterly across said 40-ft avenue, a distance of 42-ft to a point in the Northeasterly line of said avenue, said point being 150-ft Northeasterly from the intersection of the North line of South Front Street and the Northeasterly line of said 40-ft avenue.

The above crossing shall be identified as a portion of Crossing No. B-126.75.

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

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing 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 super-elevation and of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding two (2) per cent; shall be protected by a 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 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 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 8th day of June, 1928.

Leon Whitely

C. Seamy

W. M. ...

W. J. ...

W. J. ...

Commissioners.