

Decision No. 20846.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing construction at grade across certain public roads of the main track of its proposed branch line extension of railroad from Walnut Grove to Isleton, and for an order authorizing construction at grade of a drill track across the State Highway at Isleton, all in the County of Sacramento, State of California.

ORIGINAL

Application No. 15,326.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 16th day of January, 1929, asking for authority to construct a line of railroad track at grade across certain roads in the County of Sacramento, and a drill track at grade across Victory Highway in the Town of Isleton, County of Sacramento, State of California, all as hereinafter set forth. Applicant states that under the provisions of subdivision 5, Section 465, of the Civil Code of the State of California, it has the right to construct the main track of the proposed branch line extension across the public roads and highways under consideration, without a permit or franchise from any other county or state authority, but, however, a resolution, Resolution No.31, has been obtained from the Town of Isleton for permission to construct the drill track across the Victory Highway, a certified copy of which has been filed with this Commission. 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 roads 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 line of railroad track at grade across certain roads in the County of Sacramento, and to construct a drill track at grade across Victory Highway in the Town of Isleton, County of Sacramento, State of California, at the locations hereinafter particularly described and as shown by the maps (Southern Pacific Company, Sacramento Division, Drawings Nos. U.-1005-d, U-1005-e, U-1005-f, U-1005-g, and U-1005-h, attached to the application.

DESCRIPTION OF CROSSINGS.

THORNTON ROAD - BRANCH LINE:

Beginning at a point on the northeasterly line of Thornton Road, said point lying south  $9^{\circ}17'$  East, a distance of 620 feet, more or less, from a pipe monument on the southerly bank of the Sacramento River; thence southwesterly across said road on tangent a distance of 18 feet to the westerly edge of road, the angle of intersection being  $68^{\circ}50'$ , as shown by red line on Sacramento Division Drawing U-1005d.

The above crossing shall be identified as Crossing No. AU-113.8.

COUNTY ROAD - BRANCH LINE:

Beginning at a point on the easterly line of the County Road in East 1/2 of Section 10, Township 4 North, Range 4 East, M.D.B. & M., said road lying on and along the western boundary of the Alex Brown estate; thence southwesterly across said road a distance of 54 feet, more or less, to the westerly line of said road. The angle of intersection made between track and road is  $17^{\circ}30'$ . Crossing is located approximately 2 miles south of Walnut Grove, as shown by red line on Sacramento Division Drawing U-1005e.

The above crossing shall be identified as Crossing No. AU-115.3.

COUNTY ROAD - BRANCH LINE:

Beginning at a point on the easterly line of the County Road located along the easterly bank of Georgiana Slough in the Southeast 1/4 of Section 30, Township 4 North, Range 3 East, MDB&M, said point lying northerly along said easterly line of road a distance of 520 feet, more or less, from the intersection of the center line of the Tyler Island Ferry Road produced to said easterly line of County Road; thence westerly across said County Road a distance of 18 feet to the westerly edge thereof. The angle of crossing is 90°. As shown by red line on Sacramento Division Drawing U-1005h.

The above crossing shall be identified as Crossing AU-120.3.

TYLER ISLAND FERRY ROAD - BRANCH LINE:

Beginning at a point on the northerly line of County Road known as the Tyler Island Ferry Road, said point lying South 62°30' East a distance of 338.5 feet from an iron pipe marking the limits of the corporate limits of the Town of Isleton; thence southerly across the road along the arc of a curve concave to the right having a radius of 955.04 feet, the tangent of which curve at the point of beginning makes an angle of 50°30' with the northerly line of said road, a distance of 52.5 feet to the southerly edge of road, as shown by red line on Sacramento Division Drawing U-1005f.

The above crossing shall be identified as Crossing AU-120.3.

VICTORY HIGHWAY - DRILL TRACK:

Beginning at a point on the easterly line of the Highway located on the east bank of the Sacramento River at Isleton in the Northwest 1/4 of Section 25, Township 4 North, Range 3 East, MDB&M, said point lying southerly along said easterly line of Highway a distance of 112 feet, more or less, from the intersection of said easterly line and the northerly corporate limit line of the Town of Isleton; thence along the arc of a curve concave to the right having a radius of 573.14 feet a distance of 40 feet, more or less, to the westerly line of said Highway. The angle made by a tangent to the curve at the point of beginning is 28°30' as shown by red line on Sacramento Division Drawing U-1005g.

The above crossing shall be identified as Crossing AU-121.4-C.

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) Crossings Nos. AU-115.3, AU-120.3 and AU-120.8 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 of a width to conform to those portions of said roads now graded, with tops of rails flush with the roadway and grades of approach not exceeding three (3) per cent; shall be protected by two 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) Crossings Nos. AU-113.8 and AU-121.4-C, shall be constructed equal or superior to type shown as Standard No. 3 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 highways now graded, with tops of rails flush with the pavement and with grades of approach not exceeding one (1) per cent; and shall in every way be made suitable for passage thereover of vehicles and other road traffic.

(4) Applicant shall file with this Commission, for its approval, within sixty (60) days from the date hereof, signal plans for the protection of Crossing No. AU-113.8 and Crossing No. AU-121.4-C. Prior to the making effective of such plans, no train, engine, motor or car shall be operated over said crossings unless said train, engine, motor or car shall be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

(5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(6) 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.

(7) 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 7<sup>th</sup> day of March, 1929.

Thos. L. Curtis  
Chas. E. ...  
Ernest ...  
Leon ...  
M. J. ...  
Commissioners.