

Decision No. 21375.

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 certain passing tracks, passing track extensions and a wye track across certain public roads, streets and avenues between Akers and Brighton, in the Counties of San Joaquin and Sacramento, State of California.

Application No. 15628.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission, asking for authority to construct its tracks at grade across several county roads and city streets, located in the unincorporated portions of San Joaquin and Sacramento Counties, and in the City of Lodi, County of San Joaquin, State of California, as hereinafter set forth. The necessary franchises or permits have been granted by the Boards of Supervisors of said Counties and the City Council of said City for the construction of said crossings at grade. It appears to this Commission that for the purpose of the present order a public hearing is not 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 streets and roads and that this application should be granted subject to the conditions hereinafter specified.

It appears, however, that the purpose for which applicant proposes to construct the tracks for which the crossings are herein

authorized will increase the hazard to the users of said roads and streets and it appears desirable that a thorough study be made of the manner and type of protection to be afforded at the several crossings herein authorized; at the crossings of adjacent tracks, and at other crossings of public roads with the tracks of applicant in the territory involved, before the Commission prescribes the protection to be installed at the crossings authorized in this proceeding. The present order will therefore authorize and define the type and manner of crossing of the crossings included in the application, but the matter of protection will be handled by subsequent order.

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company to construct its side and passing tracks at grade across the following described streets and roads in the unincorporated portions of San Joaquin and Sacramento Counties and in the City of Lodi, County of San Joaquin, State of California, at the locations particularly described in the application and as shown by the maps (M.W.D. Drawing 6768 Sheets 1 to 12, inclusive) attached to the application.

The crossings shall be identified as portions of the crossings, the numbers of which appear in the tabulation in Condition (2) below.

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 in General Order No. 72 of this Commission as set forth in the following table and shall be constructed of a width to conform to those portions of said streets and roads now graded, with the tops of

rails at same elevation as main line rails and flush with the roadways and with grades of approach to said crossings and to the adjacent main line tracks not exceeding those shown in the table and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

<u>Crossing No.</u>	<u>Name of Road</u>	<u>Type of Crossing</u>	<u>Grades of Approach Not Exceeding</u>
D-100.1	George Roach Road	Standard #3	4%
D-101.1	County Road	" #2	4%
D-102.0	Kettleman Ave.	" #3	4%
D-102.9	Tokay St., Lodi	" #3	2%
D-111.5	"F" Street, Galt,	" #3	5%
D-111.6	"E" " "	" #2	5%
D-111.7	"C" " "	" #2	5%
D-112.5	County Road	" #2	6%
D-112.9	" "	" #2	6%
D-123.0	Main St., Elk Grove	" #3	1%
D-128.2	Gierber Road	" #2	4%
D-129.1	County Road - Florin	" #3	1%

(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.

(6) Applicant shall submit for the Commission's approval a statement or plan showing the method by which applicant proposes to provide automatically operated protection at the crossings where such protection is now afforded.

(7) This authority is granted with the expressed provision that the manner and type of protecting the various crossings herein authorized and any adjacent crossings will be determined by subsequent order of this Commission, and that the method of operating trains over these crossings will not be changed from that now in effect until after the protection as set forth in said subsequent order is installed and operating at each of the crossings involved herein.

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

Dated at San Francisco, California, this 16th day of

July, 1929.

C. Seaver

Leon Whitell

M. J. Cunn

Commissioners.