

Decision No. 21408.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

**ORIGINAL**

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the construction at grade of a team track across portions of Live Oak and Indiana Streets (CRC DE105.7) and across Augusta Street (CRC DE105.8) in the Town of Woodbridge, County of San Joaquin, State of California.

Application No. 15809.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 22nd day of July, 1929, asking for authority to construct a team track at grade across the intersection of Augusta and Olive Streets and reconstruct a track across the intersection of Live Oak and Indiana Streets in the unincorporated Town of Woodbridge, County of San Joaquin, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution dated June 17, 1929,) has been granted by the Board of Supervisors of said county 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 intersection of Augusta and Olive Streets or the intersection of Live Oak and Indiana Streets and that this application should be granted sub-

ject 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 team track at grade across the intersection of Augusta and Olive Streets and to reconstruct a track across the intersection of Live Oak and Indiana Streets in the unincorporated Town of Woodbridge, County of San Joaquin, State of California, at the locations hereinafter particularly described and as shown by the map (Stockton Div'n. Drawing C-3421 - Sheet No. 1) attached to the application.

Description of Crossings.

Beginning at a point on the Southerly line of Augusta Street 10-ft. Easterly from the intersection of the Easterly line of Olive and Southerly line of Augusta Streets, thence on curve concave to left radius 5729.65 ft. distance 90-ft. to the end of curve and also beginning of curve concave to right radius 716.78 ft. distance 33-ft. to the Northerly line of Augusta Street, said point being 59-ft. Westerly from the Easterly line of Olive Street produced Northerly.

The above crossing shall be identified as a portion of Crossing No. DE-105.8.

Beginning at a point in the intersection of Live Oak Street and Indiana Street in the Town of Woodbridge, said point being 55-ft. Westerly from the Easterly line of Live Oak Street produced Northerly and 50-ft. Southerly from the Northerly line of Indiana Street produced Easterly. Thence Northwesterly on curve concave to left radius 459.27 ft. distance of 70-ft. to the North line of Indiana Street, said point being 5-ft. Westerly from the intersection of the Westerly line of Live Oak and Northerly line of Indiana Streets.

The above crossing shall be identified as a portion of Crossing No. DE-105.7.

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 crossing at the intersection of Augusta and Olive Streets shall be constructed equal or superior to type shown as Standard No. 3 and said crossing at Live Oak and Indiana Streets shall be constructed equal or superior to type shown as Standard No. 2, in General Order No. 72 of this Commission and of a width to conform to those portions of said streets now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding two (2) per cent; each crossing 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 remove the tracks shown in yellow on the map (Stockton Div'n. Drawing C-3421 - Sheet No. 1) attached to the application, in so far as they lie within the intersection of Live Oak and Indiana Streets; and shall repair the street to conform to the remainder thereof.

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

(5) 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.

(6) 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 31<sup>st</sup> day of July, 1929.

Thos S. Lovitt

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Leon Whitely

W. J. Cain

Commissioners.