

Decision No. 21527.

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 upon, on and across Broadway Avenue, in the unincorporated town of Salida, County of Stanislaus, State of California.

Application No. 15822.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 25th day of July, 1929, asking for authority to construct a passing track at grade across a portion of Broadway Avenue in the unincorporated town of Salida, County of Stanislaus, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution dated July 8, 1929,) 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 points mentioned in this application with said Broadway Avenue 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 con-

struct a passing track at grade across Broadway Avenue in the unincorporated town of Salida, County of Stanislaus, State of California, at the locations hereinafter particularly described and as shown by the map (Stockton Division Drawing A-3464) attached to the application.

Description of Crossing

Beginning at a point in the Easterly line of Broadway Avenue produced Northerly 155 feet from the Northerly line of Elm Avenue; thence Westerly 100 feet parallel to and 15 feet distant at right angles to the center line of main track of the Central Pacific Railway Company between Lathrop and Fresno to a point in the Westerly line of Broadway Avenue produced Northerly 155 feet from the Northerly line of Elm Avenue.

The above crossing shall be identified as a portion of Crossing No. B-106.4.

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 of a width to conform to that portion of said avenue now graded, with the tops of rails at same elevation as main line rails and flush with the pavement, and with grades of approach not exceeding one (1) per cent; and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

(3) Within ninety (90) days from the date of installation of said crossing, the existing locomotive type crossing bell now protecting against main line movements over said

Broadway Avenue shall be removed and in lieu thereof there shall be installed, two (2) wigwags conforming with Standard No. 3 of General Order No. 75 of this Commission, or two (2) flashing lights of a type approved by the Commission. Said wigwags or flashing lights shall be controlled in such manner as to display a warning aspect in advance of and during the passage of all movements over the crossing herein authorized or over the adjoining main line crossing with said Broadway Avenue and in such a manner as to avoid, in so far as practicable, all unnecessary or false warnings.

(4) All movements of trains, engines, or cars over any track crossing said Broadway which would not ordinarily operate the wigwags or flashing lights shall be protected by a member of the train crew or other competent employee on the ground acting as a flagman.

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

(6) 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.

(7) 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 judg-

ment, 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 11<sup>th</sup> day of September, 1929.

Thos B. Lott  
J. L. Leary  
Ernest J. ...  
Leon ...  
M. J. ...  
Commissioners.