

ORIGINALDecision No. 21861.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of THE WESTERN PACIFIC RAILROAD
COMPANY for permission to construct,
maintain and operate a line of rail-
road at grade across two County Roads
in the County of San Joaquin, State
of California.

Application No. 15998.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 9th day of October, 1929, asking for authority to construct a branch line track at grade across two county roads in the County of San Joaquin, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution dated October 7, 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 county 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 The Western Pacific Railroad Company

to construct a branch line track at grade across two county roads in the County of San Joaquin, State of California, at the locations hereinafter particularly described and as shown by the maps (Exhibits "A" and "B") attached to the application.

DESCRIPTION OF CROSSINGS

FIRST: Said center line crossing the center line of the county road which runs northerly and southerly between Sections 4 and 5, Township 2 North, Range 6 East, M.D.B. & M., San Joaquin County, California, at a point distant southerly, measured along the center line of said county road, approximately 30.0 feet from the quarter corner common to said sections; said point of intersection also being distant westerly approximately 0.80 miles, measured along said center line from the headblock of the proposed Disappointment Slough Branch, located in the center line of the main line track of the Applicant at Harte Station.

SECOND: Said center line crossing the center line of the county road which runs northerly and southerly between Sections 5 and 6, Township 2 North, Range 6 East, M.D.B. & M., County of San Joaquin, State of California, at a point distant southerly, measured along the center line of said county road, approximately 931.0 feet from the quarter corner common to said sections; said point of intersection also being distant westerly approximately 1.8 miles, measured along the said center line from the headblock of the proposed Disappointment Slough Branch, located in the center line of the main line track of Applicant at Harte Station.

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 as Standard No. 3, 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 the tops

of rails flush with the pavement, and with grades of approach not exceeding three (3) per cent; shall be protected by 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) Two wigwags conforming with Standard No. 3 of this Commission's General Order No. 75 shall be installed and maintained at each of said crossings or, in lieu of said wigwags, flood lights may be installed and maintained in such a manner as to illuminate both sides of all trains, engines or cars passing over said crossings at night.

(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 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.

(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 5th day of December, 1929.

Thomas D. Lott
C. J. Lott

W. J. Lott
 Commissioners.