

Decision No. 22380.

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 across Main Street in the Town of Elk Grove, County of Sacramento, State of California.

ORIGINAL

Application No. 16434.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 7th day of April, 1930, asking for authority to construct a side track at grade across a portion of Main Street at Elk Grove in the County of Sacramento, State of California, as hereinafter set forth. The necessary franchise or permit 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 point mentioned in this application with said Main Street 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 side track at grade across Main Street at Elk Grove in the County of Sacramento, State of California, at the location

hereinafter particularly described and as shown by the map (Stockton Division Drawing A-3647) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the southerly line of Main Street, Town of Elk Grove, Sacramento County 35 feet easterly measured at right angles, from the center line of the main track of the Central Pacific Railway as it now exists at that point; thence northwesterly across said Main Street on a curve concave to the left (radius 573.68) 50 feet more or less, to a point; thence on a curve concave to the right (radius 573.68 feet) for 35 feet more or less to the northerly line of said Main Street, said last mentioned point being 23 feet more or less easterly at right angles from center line of said Main Track.

The above crossing shall be identified as a portion of Crossing No. D-123.0.

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. 3, in General Order No. 72 of this Commission and shall be constructed without super-elevation and of a width to conform to that portion of said street 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 two (2) per cent; 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) No train, engine, motor or car shall be operated over said crossing 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. Under no circumstances shall any car be "kicked" or "dropped" over said crossing.

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

(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 crossing 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 29th day of April, 1930.

Cl. L. Lundy

Leon Whiteley

Thos. D. Smith

Commissioners.