

Decision No. 23382.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the Matter of the Application of  
 The People of the State of California,  
 on relation of the Department of Public  
 Works, Division of Highways, for an  
 order authorizing the alteration of a  
 State Highway crossing at grade over  
 the tracks of the Southern Pacific  
 Railroad near Lodi, San Joaquin County,  
 California.

Application No. 17080.

BY THE COMMISSION:

ORDER

The People of the State of California, on relation of the Department of Public Works, Division of Highways, on December 26, 1930, applied for authority to alter a State Highway known as Road X-S.J.-4-C at grade across the tracks of Southern Pacific Company, in the vicinity of the City of Lodi, County of San Joaquin, State of California. Southern Pacific Company, on January 26, 1931, signified, in writing, that it has no objection to the alteration of said crossing at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing with said tracks at the point mentioned and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the People of the State of

California, on relation of the Department of Public Works, Division of Highways, are hereby authorized to alter State Highway known as Road X-S.J.-4-C at grade across the tracks of Southern Pacific Company at the location as shown by the maps (Exhibit "A") attached to the application, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. DF-104.1.
- (2) The entire expense of altering the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.
- (3) The crossing shall be reconstructed of a width of not less than thirty (30) feet and at an angle of approximately ninety (90) degrees to the railroad and with grades of approach not greater than three (3) per cent; shall be constructed equal or superior to type shown as Standard No. 3 in our General Order No. 72; shall be protected by a Standard No. 1 crossing sign, as specified in our General Order No. 75, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) The existing wigwag signal at said crossing shall be relocated to conform to the plan for widening said crossing and maintained thereafter at the sole expense of Southern Pacific Company.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the alteration of said crossing

and of its compliance with the conditions hereof.

- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof 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 judgment, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 9<sup>th</sup> day of February, 1931.

C. S. ...  
Leon ...  
M. J. ...  
M. B. ...  
James G. ...  
 Commissioners.