

Decision No. 25398.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
the City of Stockton, a Municipal
corporation for permission to con-
struct a highway across an existing
track on the property of the Calif-
ornia Cedar Products Company which
is being operated by the Southern
Pacific Company

Application No. 18482.

ORIGINAL

BY THE COMMISSION:

O R D E R

The City of Stockton, San Joaquin County, on October 21, 1932, applied for authority to construct a public road at grade across two spur tracks of Southern Pacific Company. Southern Pacific Company, on November 18, 1932, signified, in writing, that it has no objection to the construction 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 City Council of the City of Stockton is hereby authorized to construct a public road at grade across two spur tracks of Southern Pacific Company, at the locations more particularly described in the application and as shown by the map attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing of two tracks shall be identified as Crossing No. D-92.9-C.

- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of those portions of said crossing outside of lines two (2) feet outside of the rails of each track shall be borne by applicant. The maintenance of those portions of the crossing between lines two (2) feet outside of the rails shall be borne by Southern Pacific Company.
- (3) The crossing shall be constructed of a width of not less than the traveled way of said road, with grades of approach not greater than one (1) 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 two (2) Standard No. 1 crossing signs, 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) No train, engine, motor or car shall be operated over said crossing unless said train, engine, motor or car shall be first brought to a stop and traffic on the highway protected by a member of the train crew or other competent employee acting as flagman.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation 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 28th day of November, 1932.

O. L. Loney
Leon A. Whittell
M. H. L...
W. B. L...
Fred G. St...
Commissioners.