

Decision No. 25606.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of the Board of Supervisors of the County of Sacramento, State of California, Howard K. Johnson, Chairman, for order authorizing construction of a grade crossing over the tracks of the Southern Pacific Railroad at a point 9200 feet Northerly from Galt Station Crossing D-111.7.

ORIGINAL

Application No. 18432.

Ralph H. Cowing, Deputy District Attorney,
For Applicant.

Roy G. Hillebrand, Southern Pacific Company,
Protestant.

BY THE COMMISSION:

O P I N I O N

In this application the Board of Supervisors of the County of Sacramento requests authority to construct a grade crossing with the track of Southern Pacific Company at a point approximately a mile and a half north of Galt Station. A public hearing was conducted at Galt by Examiner Hunter on January 12, 1933.

The crossing requested in this application is that of Oak Avenue, a county road located in Section 22, T. 5 N., R. 6 E., M. D. B. and M.

In the vicinity of the proposed crossing there is a county road constructed parallel and adjacent to the westerly line of the railroad right of way extending northerly from the Town of Galt to a point about one-quarter mile north of the proposed crossing. Approximately three-quarters of a mile to

the south of the proposed crossing there is an open public crossing (Crossing No. D-112.5) with the track, which is part of an east and west county road extending for several miles in each direction from the railroad. There is another grade crossing located about three-quarters of a mile to the north of the proposed crossing (Crossing No. D-114.0) to which connects an east and west county road extending in both directions from the railroad. The north and south road referred to above, which is parallel to the railroad, does not, however, extend northward as far as this latter crossing.

Oak Avenue is an east and west road extending westward approximately one-half mile from the railroad and serving a limited agricultural area. There are only three residences adjacent to the crossing, all of which are located on the west side of the track, two on this portion of Oak Avenue and the other at the northerly end of the road which parallels the railroad. East of the railroad Oak Avenue is graded for a distance of a half mile to an intersection with the main state highway. The property adjacent to this portion of Oak Avenue is divided into small parcels, which are leased for agricultural purposes by two of the residents on the west of the railroad.

It is clear from the record that the primary purpose of the proposed crossing is to accommodate these two individuals in traveling to and from the farm land located on the opposite side of the tracks from the homes. There is considerable testimony in the record by other individuals purporting to show that the general public would find the proposed crossing a convenience in conducting its business. After an examination of testimony and the exhibits we are of the opinion that these people are

reasonably well served by existing crossings.

Southern Pacific Company protests the granting of an additional crossing at this point and offered to install a private crossing for the two farmers having occasion to cross the track in this vicinity in connection with their farming operations. It appears to the Commission that the private crossing would adequately serve these individuals and that the application for a public crossing should be denied.

O R D E R

The Board of Supervisors of the County of Sacramento having made application for a crossing at grade at Oak Avenue with the track of the Southern Pacific Company at a point approximately one and one-half miles north of the Station of Galt, a public hearing having been held, and the Commission being fully advised of the facts,

IT IS HEREBY ORDERED that the above entitled application be denied.

Dated at San Francisco, California, this 6th
day of February, 1933.

C. J. Sawyer
Leon Whiteley
W. J. Lee
M. B. Hansen
A. J. [unclear]
Commissioners.