

Decision No. 25708.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of SOUTHERN PACIFIC COMPANY, THE WESTERN PACIFIC RAILROAD COMPANY and THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY for an order authorizing the construction at grade of an industrial railroad track across Borden Highway, near Stockton, County of San Joaquin, State of California.

ORIGINAL

Application No. 18650.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, The Western Pacific Railroad Company and The Atchison, Topeka and Santa Fe Railway Company on January 16, 1933, applied for authority to construct an industrial track at grade across Borden Highway, in the vicinity of Stockton, County of San Joaquin, State of California. The necessary franchise or permit (Resolution dated December 5, 1932) has been granted by the Board of Supervisors of said County for the construction of said crossing at grade. Said track is intended to be used as an industrial track to serve various industries on Rough and Ready Island. 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 at the point mentioned and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that Southern Pacific Company, The Western Pacific Railroad Company and The Atchison, Topeka and Santa Fe Railway Company are hereby authorized to construct an industrial track at grade across Borden Highway, in the vicinity

of Stockton, County of San Joaquin, State of California, at the location more particularly described in the application and as shown by the map attached thereto, subject to the following conditions:

- (1) The above crossing of Borden Highway shall be identified as Crossing No. 59A-0.7.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public shall be borne by applicants.
- (3) Said crossing shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, and shall be constructed without super-elevation and of a width to conform to that portion of said highway now graded, with the tops of rails flush with the pavement and with grades of approach not exceeding three (3) per cent, and shall be protected by two Standard No. 1 Crossing Signs as specified in our General Order No. 75-A.
- (4) Applicants 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.
- (5) 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.
- (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, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 7th day of March, 1933.

C. L. Seaver
Leon Whitely
M. J. Curran
W. B. Harris
W. H. Johnson
Commissioners.