

Decision No. 10636.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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ORIGINAL

In the matter of the application of
E. F. Davis, owner of Stockton Terminal
and Eastern Railroad for permission to
construct a spur track at grade across
Stockton-Bellota Road near Bellota,
County of San Joaquin, State of Calif-
ornia.

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) Application No. 7981.
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BY THE COMMISSION:

ORDER

E. F. Davis, owner of Stockton Terminal and Eastern Rail-
road, having on June 28, 1922, filed with the Commission an appli-
cation for permission to construct a temporary spur track at grade
across Stockton-Bellota Road, near Bellota, County of San Joaquin,
State of California, as hereinafter indicated, and it appearing to
the Commission that this is not a case in which a public hearing is
necessary; that the necessary franchise or permit has been granted
by Board of Supervisors of said County of San Joaquin for the con-
struction of said crossing at grade, and it further appearing that
it is not reasonable nor practicable to avoid a grade crossing
with said Stockton-Bellota Road, and that this application should
be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby
granted E.F. Davis, owner of Stockton Terminal and Eastern Railroad,
to construct a temporary spur track at grade across Stockton-Bellota
Road near Bellota, County of San Joaquin, State of California, describ-
ed as follows:

Beginning at the easterly line of the Stockton and Bellota Highway in the southwest quarter of Section 5, Twp. 2 N., R. 9 E., M.D.B. & M., 15 feet south of the north line of the land of A.N. Davis, formerly known as the Austin and Russell land (said north line being the center of the old Calaveras River) thence crossing said highway in a westerly direction to connect with spur of the Stockton Terminal & Eastern Railroad, the center line of which spur is to be 10 feet north of the line between the lands of Jacob Marquardt and Charles Cody,

all of the above as shown by the map attached to the application; said crossing to be constructed subject to the following conditions, viz:

(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. The expense of removing the crossing shall also be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of Stockton-Bellota Road now graded, with grades of approach not exceeding four (4) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

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

(4) The authorization herein granted for the maintenance of said crossing is for the term of two years from the date of this order at the expiration of which said crossing shall be removed unless further time is granted by subsequent order.

(5) 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.

Dated at San Francisco, California, this 29th day of June, 1922.

H. A. Ludwig
Waring Martin

J. J. Pennington
Commissioners.