

Decision No. 11497

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of )  
The Atchison, Topeka and Santa Fe )  
Railway Company, a corporation, for )  
permission to construct a spur track )  
at grade across Van Buren and Taylor ) Application No. 8557.  
Streets in the City of Stockton, )  
County of San Joaquin, State of )  
California. )

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having on January 6, 1923 filed with the Commission an application for permission to construct a spur track at grade across Van Buren Street in the City of Stockton, County of San Joaquin, State of California, and having by letter dated January 11, 1923 amended said application by including therein a crossing of Taylor Street, 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 (Resolution No. 5636) has been granted by City Council of said City of Stockton for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Van Buren and Taylor Streets, 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 The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across Van Buren and Taylor Streets in the City of Stockton, County of San Joaquin, State of California, described as follows:

"Commencing at a point in the center line of The Atchison, Topeka and Santa Fe Railway Company's main track, 116.4 feet east of the easterly line of Van Buren Street, thence in a northwesterly direction on a curve to the right having a radius of 942.29 feet, 86.17 feet, thence on a curve to the right having a radius of 573.69 feet, 66.83 feet, thence on a curve to the left having a radius of 573.69 feet, 127.66 feet, thence on a tangent southwesterly and parallel with and distant 30.5 feet northerly from said main track, 89.34 feet."

All of the above as shown by the map (Division Engineer's No. V-4-220 attached to the application; said crossing to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of Van Buren and Taylor Streets now graded, with grades of approach not exceeding four (4) per cent; shall be protected by suitable crossing signs 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 crossings.

(4) The authorization herein granted for the installation of said crossings shall lapse and become void one year from the date of this order 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 crossings 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 12<sup>th</sup> day of January, 1923.

C. L. Seamy  
Dwight Martin

Egerton Shore  
J. L. Whittey  
Commissioners.