

# ORIGINAL

Decision No. 3936

Decision No. \_\_\_\_\_

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the appli- )  
cation of SOUTHERN PACIFIC )  
COMPANY for permission to )  
construct a spur track at )  
grade across Sixth Street )  
in the City of Tracy, and )  
across two county roads, )  
all in San Joaquin County, )  
California. )  
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Application No. 2673.

By the Commission.

## ORDER

SOUTHERN PACIFIC COMPANY, a corporation, having on December 15, 1916, filed with the Commission an application for permission to construct a spur track at grade across Sixth Street in the City of Tracy, and across two county roads, all in San Joaquin County, 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 the City of Tracy for the construction of the crossings at grade within its limits; and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Sixth Street and the county roads; and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission hereby be granted Southern Pacific Company to construct a spur track at grade across Sixth Street in the City of Tracy, and across two county roads, all in San Joaquin County, California, described as follows:

"Commencing at a point on the southwesterly line of Sixth Street opposite Engineer's Station 3270 plus 74.8 and distant fifty (50) feet northwesterly at right angles from the center line of the main line of the Central Pacific Railway, as now existing between Tracy and Sacramento; running thence on a curve to the left (radius 382.25 feet) and across 6th Street 148.21 feet to the section line running north and south between sections 27 and 28 T. 2 S., R 5 E., M. D. M., said section line being the easterly limits of the City of Tracy.

County Highway Crossings.

1. Beginning at a point 20 ft. east and 30 ft. north of the section corner common to Sections 21, 22, 27 and 28 T 2 S, R 5 E, M.D. B. & M; thence south parallel to the section line between sections 27 and 28 and 20 ft. east therefrom 669.9 ft.; thence on a curve to the right (radius 382.25 ft.) a distance of 123.1 ft. to said section line.

2. Beginning at a point 10 ft. east and 30 ft. south of the northwest corner of Section 22, T 2 S, R 5 E, M. D. B. & M.; thence north across the county road 60 ft."

All of the above as shown by the map attached to the application; said crossings to be constructed subject to the following conditions:

(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 Sixth Street and the county roads 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) 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 18th day of December, 1916.

Max Thelen

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Edwin O. Edgerton

Francis R. Wilson

Commissioners.