

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

ORIGINAL

Decision No. 4092

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application  
of COUNTY OF SAN JOAQUIN to open  
road in Tulare Road District across  
Southern Pacific tracks at grade. ) Application No. 2713.

Geo. D. Squires for Southern Pacific  
Company.

Jas. T. Ansbro and Jas. Y. Coates  
for Board of Supervisors.

BY THE COMMISSION:

O P I N I O N.

A public hearing in this proceeding was held at Stockton, February 2, 1917, being conducted by Myron Westover, Examiner.

This is a viewer's petition filed under Section 2688 of the Political Code, asking authority to establish a public road crossing at grade over the tracks of Southern Pacific Company, which extends northwest and southeast across the southwest corner of Section 6, township 3 south, range 6 east in San Joaquin County.

The surrounding country is open and practically level with no obstructions to the view near the point of crossing.

The proposed crossing is to be used in connection with a proposed new road two miles long extending from the junction of the Bird Road with the Vernalis Road, at the southwest corner of Section 6, to the

southeast corner of Section 5 where it will join another proposed new road, for which the Board has procured most of the right of way. The latter road extends south about 7 miles to the county line.

The Board plans to later extend the two miles of new road an additional mile or more east to connect with what is known as the River Road, connecting San Joaquin City and Banta. The proposed road would thus become part of the principal east and west thoroughfare across this part of the valley to the hills on the west. The nearest east and west roads are respectively four miles north and two miles south of the crossing in question. The River Road practically parallels the railroad and is distant some two or three miles easterly from it. Both the Bird Road and the Vernalis Road are improved. The Bird Road leads from the section corner north four miles to a junction with the River Road at a point about a half mile east of Banta. About half of the travel northerly and northwesterly from the community in question is to and from Banta. The remainder of such travel is to and from Tracy. The Vernalis Road is used in the Tracy travel for a distance of two miles west of the section corner, and in the Vernalis travel a distance of four miles south from the section corner.

The proposed road is designed to open up a territory of four or five square miles which is now without a public road. The proposed crossing, which is about 900 feet from the Bird Road crossing, is located at a private crossing where gates are maintained, making it necessary for many of those travelling to and from the

territory in question to make a considerable detour.

Southern Pacific Company states that it has no objection to the crossing, other than its general objection to increasing the risks of travel through increasing the number of grade crossings. It suggested as an alternative a road along the easterly side of the company's right of way about 900 feet long connecting the proposed road with the Bird Road, so that the present Bird Road crossing could be used. The objection to this is that the angle formed at the junction with the Bird Road would be less than 45 degrees, and would probably develop a dangerous situation, and a serious obstacle to traffic. The supervisors present expressed willingness to build such connecting road in addition, if the crossing in question is authorized.

If the connecting road is built, so that about half the travel of the vicinity would not need to use the proposed crossing, or cross the tracks at all, the public convenience served by the proposed crossing would more than offset the risks added by an additional crossing.

#### O R D E R.

SAN JOAQUIN COUNTY having filed with the Railroad Commission an application for permission to construct a crossing of the tracks of the Southern Pacific Company, at grade, at a point near the southwest corner of Section 6, Township 3 South, Range 6 East, in San Joaquin County; and a public hearing having been held;

IT IS HEREBY ORDERED, That after San Joaquin County shall have constructed the road mentioned in the foregoing opinion as the connecting road, between the Bird Road and the proposed road, the Commission will hereafter make its order

granting permission for the crossing asked for herein to be constructed, subject to the usual conditions.

Dated at San Francisco, California, this 8th day of February, 1917.

Max Thelen

Wm. Gordon

Frank Deane

Commissioners.