

ORIGINAL

Decision No. 4231

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the appli-
cation of TIDEWATER SOUTHERN
RAILWAY COMPANY for permission
to construct its track at grade
across several public highways
between Hatch, Stanislaus
County, and Irwin City, Merced
County, California.
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Application No. 2795.

BY THE COMMISSION.

O R D E R

TIDEWATER SOUTHERN RAILWAY COMPANY, a corporation,
having on March 9, 1917, filed with the Commission an appli-
cation for permission to construct its track at grade across
several public highways between Hatch, Stanislaus County,
and Irwin City, Merced 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
proposed crossings are not within the limits of an incorporated
town or city and no franchise is needed 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 public highways, and that this application should be
granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be hereby granted
Tidewater Southern Railway Company to construct its track at
grade across several public highways between Hatch, Stanislaus
County, and Irwin City, Merced County, California, described
as follows:

"Crossing No. 1- A public highway situated at corner to Sections Twenty-three (23), Twenty-four (24), Twenty-five (25) and Twenty-six (26), Township Five (5) South Range Nine (9) East, Mount Diablo Base and Meridian; North and South, also East and West.

"Crossing No. 2 - A public highway along the north and south quarter ($\frac{1}{2}$) section line in Section Twenty-five (25), Township Five (5) South Range Nine (9) East, Mount Diablo Base and Meridian.

"Crossing No. 3 - A public highway along the north and south quarter ($\frac{1}{2}$) quarter ($\frac{1}{2}$) section line in the east half ($\frac{1}{2}$) of Section Twenty-five (25), Township Five (5) South Range Nine (9) East, Mount Diablo Base and Meridian.

"Crossing No. 4 - A north and south public highway between sections twenty-five (25) and thirty (30), Township Five (5) South, Range Nine (9) East and Township Five (5) South Range Ten (10) East, Mount Diablo Base and Meridian.

"Crossing No. 5 - A public highway running east and west from the corner to Sections Thirty-one (31), Thirty-two (32), Five (5) and Six (6) of Townships Five (5) and Six (6) South Range Ten (10) East, Mount Diablo Base and Meridian.

"Crossing No. 6 - A public highway running along the North and South quarter ($\frac{1}{2}$) section line in Section Five (5), Township Six (6) South Range Ten (10) East, Mount Diablo Base and Meridian.

"Crossing No. 7 - A public highway along the East and West quarter ($\frac{1}{2}$) quarter ($\frac{1}{2}$) line in the South half ($\frac{1}{2}$) of Section Five (5) Township Six (6) South Range Ten (10) East, Mount Diablo Base and Meridian.

"Crossing No. 8 - A public highway running East and West between Sections Four (4) and Nine (9), Township Six (6) South Range Ten (10) East, Mount Diablo Base and Meridian, is Forty (40) feet.

"Crossings No. 9 and No. 9A - A public highway running east and west and north and south from the corner to Sections Nine (9), Ten (10), Fifteen (15) and Sixteen (16), Township Six (6) South Range Ten (10) East, Mount Diablo Base and Meridian.

"Crossing No. 10 - A public highway along the east and west quarter ($\frac{1}{2}$) section line in Section Fifteen (15), Township Six (6) South Range Ten (10) East, Mount Diablo Base and Meridian.

"Crossing No. 11 - A public highway running north and south between Sections Fourteen (14) and Fifteen (15), Township Six (6) South Range Ten (10) East, Mount Diablo Base and Meridian.

Crossings numbered 1 to 8 inclusive being in Stanislaus County; crossings numbered 9 to 11 inclusive being in Merced County.

All of the above as shown by the maps attached to the application; said crossings 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 the highways to be crossed 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, at its own expense at all crossings, remove standing timber and brush at the intersections of its right of way with the county roads in a triangle, the sides of which shall be one-hundred (100) feet long, and which shall be measured along its right of way and along the line of the highway from the intersection of these lines.

(4) 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 6th day of April, 1917.

Max Thelen
H. H. Overland
W. L. Gordon
Edwin O. Edgerton
Max R. Dehn

Commissioners.