

ORIGINAL

Decision No. 4335

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application
of SOUTHERN PACIFIC COMPANY for
permission to construct its tracks
at grade across Cowell Avenue in
the Town of Manteca, San Joaquin
County, California.

Application No. 2883.

By the Commission.

ORDER

SOUTHERN PACIFIC COMPANY, a corporation, having on May 2, 1917, filed with the Commission an application for permission to construct its tracks at grade across Cowell Avenue in the Town of Manteca, 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 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 Cowell Avenue, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be hereby granted Southern Pacific Company to construct its tracks at grade across Cowell Avenue in the Town of Manteca, San Joaquin County, California, described as follows:

"#1 Track crossing Cowell Avenue. Beginning at a point 41.5 feet, distant at right angles northeasterly from center line of main track of C.P. Ry. and opposite engr. Sta. 204+78.49, said point being in the easterly line of said Cowell Avenue; thence running northwesterly on a curve to the right

through a #10 switch layout 76.49 feet to the westerly line of said Cowell Avenue.

#2 Track crossing the alley in Block 2 and Cowell Avenue. Beginning at a point 55.8 ft. distant northerly along westerly line of said alley, from intersection of C.P.Ry. northeasterly right of way line and said westerly line of said alley. Said right of way line being 100 ft. distant at right angles northeasterly from, and parallel to, center line of main track of C.P.Ry. at point of intersection of said right of way line and said alley from said point of beginning; thence running easterly on a curve to the left, radius 459.28 ft. 20.5 ft. to the easterly line of said alley. Running thence on a curve and tangent to a point in the westerly line of Cowell Avenue, said point being 176.92 ft. distant north along said westerly line of Cowell Avenue, from intersection of aforementioned right of way line; thence east 60 ft. to the easterly line of said Cowell Avenue."

All of the above as shown by the map 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 Cowell Avenue now graded, with grades of approach not exceeding four (4) percent; 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 24th day of May, 1917.

W. H. Leland

Edwin C. Fegerton

Stanley R. Devlin

Commissioners.