

Decision No. _____.

ORIGINAL

Decision No. 4405

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
TIDEWATER SOUTHERN RAILWAY COMPANY,)
for permission to construct a spur)
track at grade across the Tully Road,)
in Stanislaus County, California.)
.....)

Application No. 2993.

By the Commission,

O R D E R

TIDEWATER SOUTHERN RAILWAY COMPANY, a corporation,
having on June 14, 1917, filed with the Commission an application
for permission to construct a spur track at grade across the
Tully Road, in Stanislaus County, California, as hereinafter in-
dicated; and it appearing to the Commission that this is not a
case in which a public hearing is necessary; that the proposed
crossing is not within the limits of an incorporated town or city
and no franchise is needed for the construction of said crossing
at grade; and it further appearing that it is not reasonable nor
practicable to avoid a grade crossing with said Tully Road, and
that this application should be granted subject to the conditions
hereinafter specified;

IT IS HEREBY ORDERED, That permission be hereby granted
the Tidewater Southern Railway Company to construct a spur track
at grade across the Tully Road, in Stanislaus County, California,
at the Tidewater Southern Railway Company's Engineer's Station
36 + 48.80, as shown by the map attached to the application; said
crossing to be constructed subject to the following conditions,
viz.:

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

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of Tully Road now graded, with grades of approach not exceeding four (4) per cent; shall be protected by a suitable crossing sign, 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 crossing 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 June, 1917.

Max Thelen
H. H. Lonsdale
W. L. Gordon
Edwin O. Edgerton
Frank R. Baker

Commissioners.