

ORIGINAL

Decision No. 5189

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
 the TIDEWATER SOUTHERN RAILWAY COM-)
 PANY for an order permitting the)
 crossing at grade by a second track) Application No. 3573.
 of the Tidewater Southern Railway)
 over a county road near Hilmar Station,)
 Merced County, California.)

By the Commission.

O R D E R.

TIDEWATER SOUTHERN RAILWAY COMPANY, a corporation,
 having on March 6, 1918, filed with the Commission an appli-
 cation for permission to cross at grade, by a second track,
 a county road near Hilmar Station, Merced County, California,
 as hereinafter indicated; and it appearing to the Commission
 that this is not a case in which a public hearing is neces-
 sary; that the proposed crossing is not within the limits of
 an incorporated town or city and no permit is required for
 its construction at grade; and it further appearing that it
 is not reasonable nor practicable to avoid a grade crossing
 with said road, 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 cross at grade,
 by a second track, a county road near Hilmar Station, Merced
 County, California, at a point about six hundred (600) feet
 south from the northwest corner of Lot One hundred fifteen
 (115), Hilmar colony, as shown by the map attached to the

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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 to conform to that portion of the road to be crossed 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 9th day of March, 1918.

Max Thelen
H. J. Howard
W. J. Gordon

Frank R. DeWolfe

Commissioners.