

Decision _____.

ORIGINAL

Decision No. 5497

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of SOUTHERN PACIFIC COMPANY for an order authorizing the construction of a spur track at grade across County Road near Atwater, County of Merced, State of California.

Application No. 3834.

By the Commission.

ORDER

SOUTHERN PACIFIC COMPANY, a corporation, having on June 8, 1918, filed with the Commission an application for permission to construct a spur track at grade across County Road near Atwater, County of Merced, State of 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 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 road and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be and the same hereby is granted SOUTHERN PACIFIC COMPANY to construct a spur track at grade across County Road near Atwater, County of Merced, State of California, described as follows:

Beginning at a point in the southerly right of

way line of the Central Pacific Railway 50 feet distant at right angles southwesterly from the centerline of the main track of said railway as now existing between Lathrop and Fresno and opposite Engineers Station 2659 plus 05, said point being also in the northerly boundary line of the County Road running parallel to said main track through Section 12, Township 7 South, Range 12 East, MDB&M; thence running on a tangent 13 feet to a point in said County Road and opposite Engineers Station 2658 plus 93; thence running on a curve (radius 764.08 feet) to the right 147 feet to a point in the southerly boundary line of said County Road, said point being 90 feet distant southwesterly and at right angles from said center line of said main track of said railway and opposite Engineer Station 2657 plus 50.

All of the above 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 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 19th day of
June, 1918.

Edwin O. Eady
H. J. Rowland
Ellis Gordon

Commissioners.