

ORIGINAL

Decision No. 5512

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
MODESTO INTERURBAN RAILWAY COMPANY)
for an order authorizing the con-)
struction of two spur tracks at)
grade across "D" Street between)
11th and 12th Streets and one)
spur track at grade across 10th)
Street between "C" and "D" Streets)
in the City of Modesto, County of)
Stanislaus, State of California.)

Application 3743.

By the Commission.

ORDER

MODESTO INTERURBAN RAILWAY COMPANY, a corporation,
having on May 9, 1918, filed with the Commission an application
for permission to lay down, construct, maintain and operate
two spur tracks at grade across "D" Street between 11th and
12th Streets, and one spur track at grade across 10th Street
between "C" and "D" Streets in the City of Modesto, County
of Stanislaus, 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 necessary franchise
has been granted by the City of Modesto; and it further appearing
that it is not reasonable nor practicable to avoid a grade
crossing with the street to be crossed, and that this application
should be granted subject to certain conditions:

IT IS HEREBY ORDERED That permission be and the same
hereby granted Modesto Interurban Railway Company to lay down,
construct, maintain and operate two spur tracks at grade across
"D" Street between 11th and 12th Streets, and one spur track

at grade across 10th Street between "D" and "C" Streets in the City of Modesto, County of Stanislaus, State of California.

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, as well as 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 to conform to that portion of the streets 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 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 June, 1918.

Edwin U. Edgerston
H. B. ...

Stuart R. ...
Commissioners.