

Decision No. 6265.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
DIRECTOR GENERAL OF RAILROADS, SOU-)
THERN PACIFIC RAILROAD, for an order)
authorizing the construction of a) Application No. 4512.
spur track at grade across county road)
near the station of Los Banos, Merced)
County, California.)

By the Commission.

O R D E R

DIRECTOR GENERAL OF RAILROADS, SOUTHERN PACIFIC RAILROAD, having on April 14, 1919, filed an application with the Commission for permission to construct a spur track at grade across county road near the station of Los Banos, in the 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 said crossing does not lie within the corporate limits of a municipality and no franchise is necessary for its construction at grade; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said county road, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be and the same is hereby granted DIRECTOR GENERAL OF RAILROADS, SOUTHERN PACIFIC RAILROAD, to construct a spur track at grade across a county road near the Town of Los Banos, County of Merced, State of California, described as follows:

BEGINNING at a point in the southwesterly right of way line of Southern Pacific Railroad, fifty (50) feet distant at right angles southwesterly from the center line of the main track of said Railroad as now existing between Tracy and Fresno and opposite Engineers Station 7128 plus 90; also said point being in the northerly line of a county road and seven hundred and five (705.0) feet more or less northwesterly along said county road from its intersection with the west line of Section 14 T. 10 S R 10 E M D B & M; thence southeasterly on a curve to the right (radius 458.59 feet) and crossing the County Road one hundred nineteen and fifty nine one hundredths (119.59) feet to the southwesterly line of said county road.

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 of construction to conform to that portion of the county 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 16th day of
April, 1919.

Edwin O. Edgerton

H. A. Leonard

H. C. Brundage

Irving Mattson

Commissioners.