

Decision No. 6950.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
SAN JOAQUIN COUNTY for permission to
cross the right-of-way of the Atchison,
Topeka and Santa Fe Railway Company by
a public highway.

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) Application No. 5125.
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By the Commission.

ORDER

SAN JOAQUIN COUNTY having on November 18, 1919,
filed an application with the Commission for permission to
construct a public highway crossing over the right of way
and tracks of the Atchison, Topeka and Santa Fe Railway
Company at grade on the Samuel R. Arthur Road No. 452, in
the southeast quarter of Section 30, Township 1 South,
Range 9 East, about one and one-half miles northwest of
Escalon, in the County of San Joaquin, State of California,
as shown by the map attached to the application; it appear-
ing to the Commission that this is not a case in which a
public hearing is necessary; that there is a private cross-
ing over the right of way of the railway company at this
point at present; that the Atchison, Topeka and Santa Fe
Railway Company has consented to 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 railroad, 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 SAN JOAQUIN COUNTY to construct a public highway crossing at grade over the right of way and tracks of the Atchison, Topeka and Santa Fe Railway Company on the Samuel R. Arthur Road No. 452, in the southeast quarter of Section 30, Township 1 South, Range 9 East, about one and one-half miles northwest of Escalon, in the County of San Joaquin, State of California, 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 shall be borne by the applicant. The expense of its maintenance thereafter in good and first-class condition, for the safe and convenient use of the public, with the exception of that portion between the rails and two (2) feet outside thereof, shall be borne by the applicant. The expense of maintaining that portion of the crossing between the rails and two (2) feet outside thereof shall be borne by the Atchison, Topeka and Santa Fe Railway Company.

(2) Said crossing shall be constructed twenty (20) feet in width, with grades of approach not exceeding three (3) 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 this 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 17th
day of December, 1919.

Edwin O. Egan
H. H. Wood
Frank R. Brown
H. H. Boudier
James M. Martin
Commissioners.