

ORIGINAL
Decision No. 701

In the matter of the application of THE)
ATCHISON, TOPEKA AND SANTA FE RAILWAY)
COMPANY for permission to construct a)
spur track at grade across Fisher Street,)
near the City of Stockton, San Joaquin)
County, California.)
.....)

APPLICATION 583.

ORDER

By the Commission.

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, having on June 2, 1913, filed with the Commission an application for permission to construct a spur track at grade across Fisher Street, near the City of Stockton, San Joaquin County, California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary, that Board of Supervisors of said County of San Joaquin has granted a franchise or permit for the construction of said track at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Fisher Street, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be hereby granted The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across said Fisher Street, near the City of Stockton, San Joaquin County, California, on the north side of its main line, to serve the plant of the Builders Iron Works Company, as shown by the map attached to the application and subject to the following conditions, viz.:

- (1) The entire expense of constructing the crossing, together with the cost of its maintenance hereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.
- (2) Applicant shall provide the necessary plank or guard rails for the construction of said crossing, and shall construct same of a length (parallel with the track) of not less than twenty-four (24) feet, with grades of approach not exceeding six (6) per cent. Said crossing shall be ballasted with first-class stone or gravel ballast to a depth of not less than six (6) inches.

(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 4th day of June, 1913.

Geo Gordon

Max Thelen

Edwin O. Edgerton

Commissioners.