

Decision No. 7193

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of
the Board of Supervisors of San Joaquin
County for permission to construct a
crossing in Tulare Road District, San
Joaquin County, across the tracks of
the Southern Pacific Company.

Application No. 518L

Edward Van Vranken for County of San Joaquin.
D. A. Porter for United State Railroad Administration
and Southern Pacific Company.

By the Commission.

O P I N I O N

This is an application, filed December 11, 1919, under Section 2694 of the Political Code, by the Board of Supervisors of San Joaquin County, for permission to construct a crossing in Tulare Road District, San Joaquin County, across the tracks of the Southern Pacific Company between Bethany and Tracy, about two (2) miles southeast of Bethany.

A hearing was held at Stockton, San Joaquin County, California, before Examiner Satterwhite, on February 2, 1920, at which both interested parties were represented.

The crossing covered by this application is now a private crossing and appears necessary as an outlet for a group of property owners north of it. The present distance between public crossings is nearly two (2) miles. The

Bethany road, which extends eastward from Bethany, is so low that it is flooded a part of the year and is sometimes blocked by the freight trains at Bethany. Half a mile east of Bethany it is crossed by the Naglee Ferry Road. As the traffic from the Naglee Ferry to Bethany can be carried by the Bethany road, it appears possible to close the Naglee Ferry road crossing of the tracks of the Southern Pacific Company about 3700 feet southeast of Bethany.

It is recommended that the application be granted, subject to the usual conditions, provided the Naglee Ferry road is closed at the crossing of the Southern Pacific Company.

O R D E R

The Board of Supervisors of San Joaquin County having applied to the Commission for permission to construct a crossing in Tulare Road District, San Joaquin County, across the tracks of the Southern Pacific Company; a public hearing having been held, and it appearing to the Commission that this application should be granted subject to certain conditions;

IT IS HEREBY ORDERED, That the Board of Supervisors, San Joaquin County, be and the same is hereby granted permission to construct a crossing in Tulare Road District, San Joaquin County, across the tracks of the Southern Pacific Company, the center line of said crossing being more particularly described as follows:

Commencing at the south line of the Bethany Road in the Naglee Burke Tract, in San Joaquin County, California, and on the line between lots ninety and ninety-one of said tract, and thence south on the line between lots ninety and ninety-one, across the Southern Pacific Railroad to the north line of the State Highway.

Said crossing is to be constructed subject to

the following conditions:

(1) Prior to the opening of the crossing applied for in this Order, the crossing located about 3700 feet southeast of Bethany, on what is known as the Naglee Ferry Road, shall be closed to public travel.

(2) 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, shall be borne by the applicant, with the exception of that portion of the crossing between the rails and two (2) feet outside thereof, which shall be borne by the Southern Pacific Company.

(3) Said crossing shall be constructed not less than twenty-four (24) feet in width, 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.

(4) 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.

March Dated at San Francisco, California, this 2^d day
of ~~February~~, 1920.

Edwin O. Edgerton

H. D. L. ...

Stanley ...

H. R. ...

James ...