

Decision No. 7458

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the application of the Atchison, Topeka and Santa Fe Railway Company for permission to construct, operate, and maintain a spur track, at grade, across California Street, in the City of Stockton, San Joaquin County, California.

Application No. 5558.

By the Commission:

O R D E R

Atchison, Topeka and Santa Fe Railway Company, a corporation, having, on April 13, 1920, filed with the Commission an application for permission to construct a spur track, at grade, across California Street in 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 the necessary franchise or permit has been granted by the City Council of the City of Stockton, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said California Street, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted Atchison, Topeka and Santa Fe Railway Company to construct a spur track, at grade, across California Street in the City of Stockton, San Joaquin County, California,

described as follows:

"Commencing at a point in the east line of California Street, fourteen (14) feet north of the north line of Taylor Street; running thence westerly parallel with the north line of Taylor Street to the west line of said California Street;"

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 California Street 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 21<sup>st</sup> day of April, 1920.

Eduin O. Edgert

Frank R. White  
H. B. ...

Commissioners.