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Decision No. 7996

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Southern Pacific Company for permission to construct a side track at grade across County Road known as Woodlin Avenue near the City of Modesto, County of Stanislaus, State of California.

Application No. 5980

By the Commission,

O R D E R

Southern Pacific Company, a corporation, having on July 30, 1920, filed with the Commission an application for permission to construct a side track at grade across Woodlin Avenue near Modesto in Stanislaus 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 usual franchise or permit by the Board of Supervisors is not required in this case, as said Board in accepting the license agreement from Southern Pacific Company in accordance with the Commission's Decision No. 4352, Application No. 2903, issued May 29, 1917 allows the Railroad Company the right to construct such tracks as it may require across said road; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Woodlin Avenue, and that this application should be granted subject to the conditions

hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted Southern Pacific Company to construct a side track at grade across Woodlin Avenue near the City of Modesto, Stanislaus County, California, described as follows:-

Beginning at a point in the northerly line of Woodlin Avenue extended to a point 13 ft distant at right angles easterly to the center line of the main track of the Central Pacific Railway Company as it now exists through Lathrop-Fresno Subdivision, and opposite Engineer Station 978 plus 21.0, thence southerly and 13 ft distant and parallel with main track a distance of 51.3 ft to the southerly line of Woodlin Avenue extended.

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 Woodlin Avenue now graded, with grades of approach not exceeding two (2) 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 crossings 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 23^d day
of August, 1920.

Edwin A. Egan
Admiral
Frank B. ...
H. B. ...

Commissioners.