

Decision No. 8771.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

-000-

In the Matter of the Application)	
of San Joaquin County for per-)	
mission to cross the right of way)	Application No. 5783.
of the Central Pacific Railroad)	
Company by a public highway.)	
.....))	

James T. Ansbro, for applicant.

Arthur L. Levinsky, for Southern Pacific Company.

By the Commission:

O P I N I O N

This is an application by San Joaquin County for permission to construct a crossing at grade over the tracks of the Southern Pacific Company in Section 13, T 2 S., R 7 E, between Weston and Ripon.

A public hearing was held at Stockton before Examiner Westover. The hearing was called at 11 A.M., but no one appeared for the county and the matter was set over until 12 M, and then until 2 P.M., during which time the county officials had been located.

The proposed crossing would serve a subdivision lying in Sections 13 and 24 via a short road known as Highland Avenue connecting with the State highway which parallels the railroad right of way along its northerly line. Highland Avenue extends about a mile south of the railroad and would serve only a few people. The territory could be served as well by a road extending from the county road along the east line of Section 24, T 2 S.,

R 7 E., northwesterly and parallel with the railroad between lots 4 and 5 to the A.V. Stuart Subdivision where it would turn due west and be continued until it reached Olive Avenue on which there is a grade crossing about seven tenths of a mile northwest of the proposed crossing. The Southern Pacific Company estimated it would cost about \$900 to construct the proper kind of crossing and that the right of way and road through the A.V. Stuart Subdivision should cost only about \$250. This change in road suggested by the Southern Pacific Company is satisfactory to the county. The evidence shows that public convenience and necessity does not require the proposed crossing and the application is therefore denied.

O R D E R

San Joaquin County having applied for authority to construct Highland Avenue at grade across the tracks of the Southern Pacific Company about 1647 feet northwest of section line between Section 19, T. 2 S., R. 8 E., and Section 24, T. 2 S., R. 7 E., as shown on the map attached to the application, a public hearing having been held and the Commission being fully apprized in the premises and of the opinion that public convenience and necessity does not require the proposed crossing.

IT IS HEREBY ORDERED, that the above application be and it is hereby denied.

Dated at San Francisco, California, this 1st day of October
~~September~~, 1920.

Edwin A. Edgerton
H. L. Longland
Frank P. Devine
H. B. Brundage

Commissioners.