

Decision No. 8592

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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. 5181

MARTIN, Commissioner.

SUPPLEMENTAL OPINION

This Commission having heretofore, on March 2, 1920, issued its order in the above entitled matter (Decision No. 7193) authorizing the County of San Joaquin to open and maintain a grade crossing over the tracks of the Southern Pacific Company, near the Town of Bethany, provided the County close the existing crossing of the Naglee Ferry Road with the tracks of said Company, and the County of San Joaquin having requested that the order be modified in regard to the proviso requiring the closing of the Naglee Ferry Road crossing, and the Southern Pacific Company having requested that the Commission's order be not modified, a hearing was held at Tracy, California, January 7, 1921, at which both interested parties were represented.

From the testimony submitted, it appears that both the Naglee Ferry Road Crossing and the crossing authorized in Decision No. 7193, and known as the Reeves Road Crossing, are necessary as public crossings.

The Naglee Ferry Road Crossing appears necessary for ingress and egress to the pumping plant of the West Side Irri-

gation District and to the ship landing north of it.

The Reeves Road Crossing appears necessary as an outlet for a group of property owners north of it.

The following form of Order is recommended:

SUPPLEMENTAL ORDER

County of San Joaquin having applied to the Commission for a re-hearing in the matter of the application of the Board of Supervisors of said county for permission to construct a crossing in Tulare Road District across the tracks of the Southern Pacific Company; a public hearing having been held, and it appearing that the former Order should be modified;

IT IS HEREBY ORDERED, That clause one in Decision 7193, which reads as follows:

"(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."

be and the same is hereby rescinded.

In all other respects the provisions of Decision 7193 shall remain unchanged.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 26<sup>th</sup> day of January, 1921.

W. D. Leubsdorf  
Frank D. Dehn

Dwight Martin  
Commissioners.