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DECISION NO. 8821.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of the City of Stockton, a municipal corporation, State of California, for permission to construct a public street at grade across the tracks of the Southern Pacific Company at "E" Street, City of Stockton, County of San Joaquin, California.

Application No.6548.

By the Commission:

ORDER

The City of Stockton, State of California, having on February 14, 1921, filed with the Commission an application for permission to construct a public street at grade across the tracks of the Southern Pacific Company in said City, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the Southern Pacific Company has signified by letter that it has no objection to the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said tracks and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be hereby granted the City of Stockton, State of California, to construct a street at grade across the tracks of the Southern Pacific Company described as follows, to-wit:

- 1.

BEGINNING at the point of intersection of the east line of "E" Street with the south right of way line of the Stockton and Copperopolis Railroad, said point being also the northwest corner of Lot numbered 1 in block numbered 26 as said lot and block are so designated and delineated upon a map or plat entitled, "Fair Oaks Tract Correction of Supplement No. 2", filed November 30, 1892, in the office of the County Recorder of San Joaquin County, California; thence, northerly along the east line of said "E" Street produced across said railroad right of way a distance of one hundred (100) feet to the north right of way line of said railroad; thence westerly along said northerly right of way line a distance of sixty (60) feet; thence southerly across said right of way, a distance of one hundred (100) feet; to the point of intersection of the south line of said right of way with the west line of "E" Street; thence easterly along said right of way line a distance of sixty (60) feet to the point of beginning."

said crossing to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossing shall be borne by the applicant. The cost of its maintenance up to a line two (2) feet outside the rails shall be borne by the applicant. The maintenance of that portion of the crossing between the rails and two (2) feet outside thereof shall be borne by the Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty four (24) feet and at an angle of ninety (90) degrees to the railroad and with grade of approach not greater than four (4) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) Applicant shall, in writing, notify this Commission of the completion of the installation of said crossing within thirty (30) days thereof.

(4) The installation of said crossing shall be made within one year from the date of this order unless further time is granted by subsequent order herein, and unless so completed within the

time specified, the authorization herein granted shall lapse and become void.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as 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 8th day of April, 1921.

Frank R. DeWitt

H. Loveland

H. V. Brundage

James Martin

Charles H. Rowell

Commissioners.