

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application)
of the Board of Supervisors of San)
Joaquin County to construct a road)
crossing at grade across the tracks)
of the Southern Pacific Company near)
Clements.)

Application No. 6557.

M. A. Sanborn, for County of San Joaquin.

Frank B. Austin and J. B. Dawson, for Southern
Pacific Company.

By the Commission:

O P I N I O N

This is an application filed as a viewer's petition under Section 2694 of the Political Code for authority to establish a public road crossing at grade across the tracks and right of way of the Valley Springs Branch of the Southern Pacific Company in the southwest quarter of Section 18, Township 4 North, Range 9 East, Mt. Diablo Base and Meridian.

The crossing is located on a proposed road described as follows:

"Commencing at the center line of a 40-foot right of way for a public road at the S.E. Corner of Section 36, Township four (4) North, Range eight (8) East, Mount Diablo Base and Meridian, and run thence North on the Section line to a point at the one-quarter section corner on the West line of Section 19, Township 4 North, Range 9 East, Mount Diablo Base and Meridian; thence running East one-quarter of a mile; thence running North one and one-eighth miles, more or less, to the Clements-Wallace Road to a point where said road is intersected by the section line on the East side of Section 13, Township 4 North, Range eight East, Mt. Diablo Base and Meridian."

The above described road is a proposed relocation of the Jacob Harris Jr. public road No.226 in the Elliott Road District, the right of way for which was declared a public road on September 8, 1920.

A public hearing upon the application was held by Examiner Westover at Stockton.

The proposed road would connect the territory south of the Valley Springs Branch of the Southern Pacific Company east of Clements with the State highway between Stockton and San Andreas, and would accommodate four families with large land holdings. There is at present no suitable means of access to this territory from the State highway.

The nearest crossing to the west is at Clements $2\frac{1}{2}$ miles distant, and the nearest crossing to the east is one mile distant.

The topographical conditions are such as to provide a clear view in all directions and there is only one mixed train each direction daily on the railroad. It would not be reasonable nor practicable to provide a separation of grades at this location.

The Southern Pacific Company offers no objection to the installation of the crossing applied for, providing the county pay the cost of installation.

O R D E R

A public hearing upon the above entitled application having been held, the testimony having been taken and the matter submitted and being now ready for decision, and it appearing to the Commission that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be hereby granted the Board of Supervisors of the County of San Joaquin, State of California, to construct a public road, known as the Jacob Harris

Jr. public road No. 226 at grade over the tracks of the Valley Springs Branch of the Southern Pacific Company at Engineers Station 732 plus 20 in the southwest quarter of Section 18, Township 4. North, Range 9 East, Mount Diablo Base and Meridian in said County, 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 of the Southern Pacific Company 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) percent; 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, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

Dated at San Francisco, California, this 3d day of June, 1921.

H. B. ...
H. B. ...

H. B. ...
Commissioners.