

Decision No. 9465

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the application of the County of Merced for authorization permitting the construction of the highway crossing at grade over the tracks of the Central Pacific Railroad Company, on Mission Avenue, County of Merced, State of California.

Application No. 6807

M. Curtis, for Applicant.
Frank B. Austin, for Southern Pacific Company.

By the Commission:

O P I N I O N

This is an application by the County of Merced for permission to construct Mission Road across the tracks of Southern Pacific Railroad Company, lessee of Central Pacific Railroad Company.

A public hearing was held on this application before Examiner Satterwhite at Merced.

Mission Road (sometimes known as the Sheehy Road) is an east and west road extending east from the railroad along the south line of Sections 34, 35, and 36, T. 7 S., R. 14 E., M. D. B. & M.

It is proposed to extend this road westerly across the railroad and along the southerly line of Sections 31 and 32 to connect with existing road extending farther west several miles. The railroad at this location is straight and approximately level, located about 4 ft. above the adjacent ground and extends northwesterly and southeasterly. Adjacent to it and paralleling

it on the northeast side is located the State Highway.

The purpose of the proposed crossing is to give an outlet from Sections 31 and 32, T. 7 S., R. 14 E., and Sections 5 and 6, T. 8 S., R. 14 E., direct to the State Highway. There is a north and south road which crosses the railroad approximately 2100 ft. southeasterly from the proposed crossing and also an east and west road which crosses the railroad approximately 3600 ft. northwest of the proposed crossing.

The territory along Mission Road is very sparsely settled and such residents as would use the proposed crossing if installed would only use it in event of travelling toward Fresno and it is now possible for them, by going approximately one mile farther, to obtain an outlet over the Southern Pacific by means of a crossing 3600 ft. northwest of the proposed crossing. Merced, which is located within three miles of the territory concerned, is the logical trading center for these people and the proposed crossing would not be of any benefit to them in reaching Merced.

The testimony did not indicate that public necessity and convenience justifies the creation of the hazard incident to the installation of this additional crossing over the main line of the Southern Pacific, upon which are operated 12 passenger trains per day at an average speed of 50 miles per hour and approximately 10 freight trains at an average speed of 35 miles per hour. It is therefore believed that this application should be denied.

ORDER

Public hearing having been held and the matter being under submission,

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

Dated at San Francisco this 6^d day of September, 1921.

H. P. Brundage
H. D. Loveland

H. P. Brundage
Commissioners.