

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the matter of the application )  
of Tidewater Southern Railway )  
Company for an order permitting it )  
to construct, maintain and operate )  
its line of railroad at grade, across )  
certain public roads, highways and )  
streets in the City of Turlock, )  
County of Stanislaus, State of Calif- )  
ornia, and for an order authorizing )  
it to abandon a portion of its line )  
of railroad within the said City of )  
Turlock and near or adjacent thereto.)

Application No. 7165.

By The Commission:

O R D E R

Tidewater Southern Railway Company, a corporation, having on September 12, 1921, filed with the Commission an application to construct its tracks across certain streets and alleys in the City of Modesto, County of Stanislaus, California, as hereinafter indicated and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the Board of Trustees of the City of Turlock for the construction of said crossings at grade and it further appearing that it is not reasonable or practicable to avoid grade crossings with said streets and alleys and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be hereby granted Tidewater Southern Railway Company to construct its tracks at grade across certain streets and alleys in the City of Turlock, Stanislaus County, California, described as follows:

- FIRST:** Commencing at a point of connection with the present track of the Tidewater Southern Railway Company on Castor Street and terminating on the northwesterly line of "C" Street crossing Lander Avenue, "B" Street and the intervening alleys and running southeasterly along Fifth Street.
- SECOND:** Commencing at a point of connection with the present track of the Tidewater Southern Railway Company at the intersection of Fifth and "B" Streets and terminating on "C" Street, near the southwesterly line of Third Street crossing "B" Street, Fourth Street, "C" Street, and the intervening alleys.
- THIRD:** Along "C" Street from the easterly line of Lander Avenue to the southwesterly line of South First Street crossing Sixth, Fifth, Fourth and Third Street, South Broadway and the intervening alleys.
- FOURTH:** Commencing at a point of connection with the second herein described track in the block bounded by "B", "C", Fifth and Fourth Streets and terminating in the block bounded by "B", "C", Fourth and Third Streets, crossing Fourth Street and the intervening alleys.
- FIFTH:** Connecting with the fourth hereindescribed track near the southwesterly line of Fourth Street and terminating in the block bounded by "B", "C", Third and South Broadway, crossing Fourth Street and Third Street and the intervening alleys.
- SIXTH:** Commencing at a point of connection with the second herein described track near the southwesterly line of Fourth Street and terminating in the block bounded by "B", "C", Third and South Broadway, crossing Fourth Street and Third Street and the intervening alleys.
- SEVENTH:** Commencing at a point of connection with the present track of the Tidewater Southern Railway Company on "B" Street and terminating near the Southeastern line of "D" Street, crossing "B", South First, "C" and "D" Streets and running southeasterly along South First Street.

All of the above as shown by the map attached to the application; said crossings to be constructed subject to the following conditions viz:

- (1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.
- (2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said streets and alleys now graded, the top of rails to conform to the surface of said streets

and alleys; shall be protected by suitable crossing signs and shall in every way be made safe for the passage thereover 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 crossings.

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

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings as to 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 19<sup>th</sup> day of September, 1921.

H. A. Loveland  
Quincy Martin  
Robert H. Brown

Commissioners.