

Decision No. 9744.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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ORIGINAL

In the matter of the application of  
Southern Pacific Company for per-  
mission to construct a spur track at  
grade across City Street and First  
Street, in the City of Ceres, County  
of Stanislaus, State of California. )

) Application No. 7302.

By The Commission:

ORDER

Southern Pacific Company, a corporation, having on October 31, 1921 filed with the Commission an application for permission to construct a spur track at grade across City Street and First Street, in the City of Ceres, County of Stanislaus, State of 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 said City of Ceres for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said City Street and First Street, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be hereby granted Southern Pacific Company to construct a spur track at grade across City Street and First Street in the City of Ceres, Stanislaus County, California, described as follows:

Commencing at a point in center line of main track of Central Pacific Railway Company as it now exists through Ceres, thence in southeasterly direction with switch and turn-out to the left across private property and entering public thoroughfare near the intersection of westerly line of City Street and the westerly line of First Street, said intersection point being opposite Engineers Station 1268 plus 70 and distant 50 feet at right angles northeasterly therefrom, and thence across public thoroughfare a distance of 182 feet and thence continuing onto private property total distance of 850 feet,

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 City Street and First Street now graded, with grades of approach not exceeding four (4) per cent; 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 10<sup>d</sup> day of November, 1921.

H. A. Brundage

William Martin

H. A. Brundage

Commissioners.