

Decision No. 28409.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of the Board of Supervisors of the County of Stanislaus, State of California, for permission to construct a crossing over the Southern Pacific Gravel Pit Spur at Timba, approximately 2 miles northwest of Newman, California.

Application No. 19061.

BY THE COMMISSION:

ORIGINAL

O R D E R

The Board of Supervisors of the County of Stanislaus, State of California, on August 23, 1933 applied for authority to construct a public road at grade across the Timba Gravel Pit spur track of Southern Pacific Company, approximately two miles northwest of the Town of Newman in said County of Stanislaus. Southern Pacific Company on September 20, 1933, signified, in writing, that it has no objection to the construction of said crossing at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing with said track at the point mentioned and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the Board of Supervisors of the County of Stanislaus, State of California, is hereby authorized to construct a public road at grade across the Timba Gravel Pit spur track of Southern Pacific Company at the location more particularly described in the application and as shown by the map attached

thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. RA-117.21C.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company.
- (3) The crossings shall be constructed of a width of not less than twenty-four (24) feet and at an angle to the railroad as shown on the map attached to the application, and with grades of approach not greater than two (2) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; shall be protected by a Standard No. 1 crossing sign as specified in our General Order No. 75-A, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (5) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.
- (6) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and proper and to revoke its permission if, in its judgment, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 9th day of October, 1933.

C. C. Lawrence
Leon Arthur
M. A. Am
M. B. Harris
W. B. Harris
Commissioners.