

Decision No. 27038.

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of Application of  
SOUTHERN PACIFIC COMPANY for an  
order authorizing the construction  
at grade of a side track and the  
relocation of two existing side  
tracks across Elm Street, in the  
City of Lodi, County of San Joaquin,  
State of California.

Application No. 19425.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, on May 2, 1934, applied for authority to construct one additional side track at grade across Elm Street, in the City of Lodi, County of San Joaquin, State of California, and to relocate two existing side tracks across said street. The necessary franchise or permit has been granted by the City Council of said city for the construction of said crossings at grade.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings at the points mentioned; and that the application should be granted,

IT IS HEREBY ORDERED that Southern Pacific Company is hereby authorized to construct one additional side track at grade across Elm Street in the City of Lodi, County of San Joaquin, State of California, and to relocate two existing side tracks across said street at the locations more particularly described in the application and as shown by the map attached thereto,

subject to the following conditions:

- (1) The above crossing of Elm Street shall be identified as a portion of Crossing No. D-103.4.
- (2) The entire expense of constructing and relocating and thereafter maintaining the crossings in good and first-class condition for safe and convenient use of the public shall be borne by applicant.
- (3) Said crossings shall be constructed equal or superior to the type shown as Standard No. 3 in our General Order No. 72 and shall be constructed without superelevation and of a width to conform to those portions of said street now graded, with the tops of rails flush with the pavement and with grades of approach not exceeding one (1) per cent.
- (4) The crossings herein authorized shall be protected by the Standard No. 3 wigwags now in place at said Crossing No. D-103.4 during the hours that said wigwags are manually controlled. During hours that said wigwags are not manually controlled, all train or switching movements over the said crossings shall be protected by a member of the train crew or other competent employee acting as flagman on the ground in advance of and during such movement. No car shall be moved over said crossings unless coupled to an engine or motor, or to other cars so coupled.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings and of its compliance with the conditions hereof.
- (6) 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.
- (7) 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, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 7<sup>th</sup> day of May, 1934.

J. C. Kearney  
Leon S. Sullivan  
M. H. Kim  
M. B. Lanza  
W. H. [unclear]  
Commissioners.