

Decision No. 27817

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of The Atchison, Topeka and Santa)
Fe Railway Company, a corporation,)
for authority to lay down, con-)
struct, maintain and operate two) Application No. 19857
spur tracks at grade across South)
Avenue, in the County of San Joaquin,)
State of California.)

ORIGINAL

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Co., a corporation, on March 4, 1935, applied for authority to construct an industrial lead and a spur track at grade across South Avenue in the vicinity of Stockton, County of San Joaquin, State of California. The necessary franchise or permit has been granted by the Board of Supervisors of said County for 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 at the point mentioned and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that The Atchison, Topeka & Santa Fe Railway Company is hereby authorized to construct two tracks at grade across South Avenue in the vicinity of Stockton, County of San Joaquin, State of California, at the location more particularly described in the application and as shown by the maps attached.

thereto, subject to the following conditions:

- (1) The above crossing of South Avenue shall be identified as No. 2-1123.3-C.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossing shall be constructed equal or superior to the type shown as Standard No. 2 in our General Order No. 72, and shall be constructed without superelevation and of a width to conform to that portion of said avenue now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding one (1) per cent, and shall be protected by two (2) Standard No. 1 Crossing Signs, as specified in our General Order No. 75-A.
- (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 13th day of March, 1935.

Leon Cavitt

M. J. C.

Frank P. Smith

Commissioners.