

Decision No. 27913.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of STOCKTON TERMINAL AND EASTERN RAILROAD, a corporation, for permission to construct, maintain and operate a spur track at grade across a public road near the City of Stockton, San Joaquin County, State of California.

Application No. 19902.

BY THE COMMISSION:

ORIGINAL

C R D E R

Stockton Terminal and Eastern Railroad, a corporation, on April 4, 1935, applied for authority to construct a spur track at grade across the northerly portion of Magnolia Street and across "F" Street 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 crossings at grade. Said streets are traveled but at present unimproved.

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 Stockton Terminal and Eastern Railroad is hereby authorized to construct a spur track at grade across the northerly portion of Magnolia Street and across "F" Street, in the vicinity of Stockton, County of San Joaquin, State of California, 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 Magnolia Street shall be identified as Crossing No. 41-16.9-C, and that of "F" Street as Crossing No. 41-16.95-C.
- (2) The entire expense of constructing 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. 2, in our General Order No. 72, and shall be constructed without superelevation and of a width to conform to those portions of said streets 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 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 crossings 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 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 29th day of April, 1935.

Leon A. White

W. A. Linn

M. B. Linn

W. B. Linn

Frank R. Linn

Commissioners.