

ORIGINAL

Decision No. 28125

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of San Joaquin County, acting through its Board of Supervisors, and City of Stockton, acting through its City Council, for permission to construct Filbert Street at grade across the Southern Pacific Railroad.

Application No. 19956.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of San Joaquin and the City Council of the City of Stockton, on May 10, 1935, applied jointly for authority to construct a public street known as Filbert Street at grade across the track of Southern Pacific Company at the easterly limits of the said City of Stockton. Southern Pacific Company, on June 19, 1935, 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,

IT IS HEREBY ORDERED that the Board of Supervisors of the County of San Joaquin and the City Council of the City of Stockton are hereby authorized to construct Filbert Street at grade across the track of Southern Pacific Company, at the lo-

cation more particularly described in the application and as shown by the map attached thereto, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. DC-92.4.
- (2) The entire expense of constructing the crossing shall be borne by applicants. The cost of maintenance of that portion of said crossing up to lines two (2) feet outside of the outside rails shall be borne by applicants. 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 crossing shall be constructed of a width of not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than shown on the print accompanying the application; 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) Applicants 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 16th day of July, 1935.

Leon Alexander

W. B. Lewis

W. B. Lewis

Stouffer

Commissioners.