

Decision No. 28973

## 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 a crossing over the right of way of the Southern Pacific Company where its railroad crosses a county road, the center line of which is the section line common to Sections 3 and 10, Township 4, South Range 11 East, M.D.B. & M.

Application No. 20378

BY THE COMMISSION:

O R D E R

ORIGINAL

The Board of Supervisors of the County of Stanislaus, State of California, applied for authority to construct a public road at grade across a branch line track of Southern Pacific Company in the vicinity of Hickman. Southern Pacific Company has signified, in writing, that it has no objection to the construction of said crossing at grade and that it will assume one-half the cost of such construction.

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 county road at grade across the 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. DC-134.8.

- (2) The expense of constructing the crossing shall be borne fifty per cent by applicant and fifty per cent by Southern Pacific Company. 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 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 crossing shall be constructed of a width of not less than twenty-four (24) feet 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 two Standard No. 1 crossing signs 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 27th day of July, 1936.

W. B. Harwin  
Dean C. [unclear]

Frank R. [unclear]  
Commissioners