

Decision No. 29828.

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, construct, operate and maintain  
an additional interchange track upon and  
along Taylor Street, and across Ophir and  
Pilgrim Streets, in the City of Stockton,  
California.

Application No. 21209.

BY THE COMMISSION:

ORIGINAL

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on May 20, 1937, applied for authority to construct an interchange track at grade across a portion of Taylor Street and across Ophir and Pilgrim Streets in the City of Stockton, San Joaquin County. Applicant claims that authority for the construction of said crossings at grade has been granted by said City of Stockton in a franchise dated June 18, 1895.

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 The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct an interchange track at grade across a portion of Taylor Street and across Ophir and Pilgrim Streets in the City 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 Ophir Street shall be identified as a portion of Crossing No. 2-1120.4, and that of Pilgrim Street and a portion of Taylor Street as a portion of Crossing No. 2-1120.5.
- (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; shall be constructed without superelevation and of a width to conform to those portions of said streets now graded, with the tops of rail approximately the same elevation as main line rails and flush with the roadway, with grades of approach not exceeding four (4) per cent; and shall be protected by Standard No. 1 crossing signs, as specified in our General Order No. 75-A.
- (4) No train, motor, engine or car shall enter upon said crossing at a speed greater than ten (10) miles per hour and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman. After having entered upon the crossing, it shall be cleared as quickly as is practicable.
- (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 1st day of June, 1937.

Leon Schubert  
Frank Newman  
Raymond W. [unclear]  
Harold C. [unclear]  
Commissioners