

**ORIGINAL**

Decision No. 23869.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
THE WESTERN PACIFIC RAILROAD COMPANY  
for permission to construct, maintain  
and operate a track at grade along  
Union Street and across Worth Street,  
in the City of Stockton, County of San  
Joaquin, State of California.

Application No. 21239.

BY THE COMMISSION:

O R D E R

The Western Pacific Railroad Company, a corporation, on June 4, 1937, applied for authority to construct a connecting track at grade across Union Street and Worth Street in the City of Stockton, County of San Joaquin, State of California.

Applicant has applied to the City of Stockton for the necessary franchise or permit for the construction of said track.

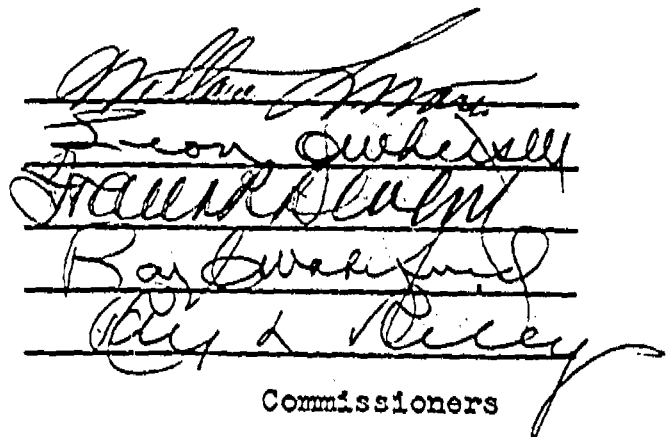
It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings at the points mentioned; and that the application should be granted,

IT IS HEREBY ORDERED that The Western Pacific Railroad Company is hereby authorized to construct a connecting track at grade across Union Street and Worth Street 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 (Exhibit "A") attached thereto, subject to the following conditions:

- (1) 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.
- (2) This order is made upon the express condition that Union Street and Worth Street are not now actually constructed and open to travel at the point of crossing and this order shall not be deemed an authorization for the construction of an opening of said streets to public use across said connecting track. Said track shall be so constructed that grades of approach not exceeding four (4) per cent will be feasible in the event that the construction of an opening of said streets across said spur track shall hereinafter be authorized and so that said grade crossings may be made safe for the passage thereon of vehicles and other road traffic.
- (3) The authorization herein granted shall lapse and become void unless applicant shall, within ninety (90) days from the date hereof, file with this Commission a certified copy of a franchise or permit issued by the City of Stockton authorizing the construction of said connecting track, unless further time is granted by subsequent order.
- (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 14<sup>15</sup> day of June, 1937.


  
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