

granted for its construction over said county road.

It now remains to be determined what protection should be provided at this location.

Exhibit No. 1 shows that for a 24-hour period the traffic over the crossing consisted of 114 automobiles, 42 trucks, and 27 pedestrians, and during that same period 15 eastbound and 18 westbound trains moved over the crossing, which is now protected by one Standard No. 1 crossing sign. Speed of trains over the crossing and the present bridge is restricted to 15 miles per hour, but when the new bridge is constructed it is expected the speed restriction will be raised to 45 miles per hour.

The view of approaching trains is partially obstructed by small buildings adjacent to the crossing, presumably used by the contractor. Before the second track is put into operation these buildings should be removed in order to improve the view of approaching trains.

By Decision No. 24050, as modified by Decision No. 24272, dated November 30, 1931, on Application No. 17505, this Commission authorized the County of San Joaquin to construct the A. O. Stewart Road over the tracks at this location, and a contract was entered into between Southern Pacific Company and San Joaquin County at that time whereby the County agreed to install automatic protection whenever this Commission required its installation.

In order to provide double automatic flashlight protection at this location an expenditure of approximately \$2,500 (Exhibit No.2) would be necessary and it appears, due to the light amount of vehicular traffic using this crossing, that automatic protection cannot be justified at this time, particularly if the view of approaching trains is improved by removing obstructions adjacent to the crossing. However, if in the future the Commission deems it advisable that protection should be installed, it will be so ordered.

O R D E R

A public hearing having been held and the matter having been submitted and being ready for decision:

IT IS HEREBY ORDERED that Southern Pacific Company be and it is hereby authorized to construct a second track of its main line between Tracy and Lathrop across the A. C. Stewart Road, just west of its San Joaquin River Bridge, and designated as a portion of Crossing No. D-78.2, subject, however, to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining said crossing in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.
- (2) Said crossing shall be constructed equal or superior to the type shown as Standard No. 2 in our General Order No. 72, with the top of rails of said second track at the same elevation as the existing main line rail and flush with the roadway, with grades of approach not exceeding 6%, and the entire crossing shall be protected by two (2) Standard No. 1 crossing signs, as specified in our General Order No. 75-B.
- (3) Applicant shall remove the buildings and brush adjacent to said crossing in order to improve the view of approaching trains.
- (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 year from the date hereof, unless further time be granted by subsequent order.
- (6) The Commission reserves the right to make such further order as to it may seem right and proper and to revoke this permission if in its judgment public convenience and necessity demand such action.

The effective date of this Order shall be twenty (20) days from the date hereof.

Dated at Los Angeles, California, March 3, 1942.

Justus J. Sawyer
Ray C. Wiley
Francis J. Haverne
Richard L. ...
COMMISSIONERS