

ORIGINAL

Decision No. 59046

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 the CITY OF MODESTO, a Municipal)
 Corporation, organized and existing)
 under and by virtue of the laws of)
 the State of California and operating)
 a freeholders' charter for an Order) Application No. 41184
 Authorizing the Widening of a Public)
 Road, Highway or Street Across Rail-)
 road Tracks of the Southern Pacific)
 Railway Company (Tully Road Xing)
 No. 112.1-C))

In the Matter of the Application of)
 the CITY OF MODESTO, a Municipal)
 Corporation, organized and existing)
 under and by virtue of the laws of)
 the State of California and operating) Application No. 41185
 a freeholders' charter for an Order)
 Authorizing the Widening of a Public)
 Road, Highway or Street Across Rail-)
 road Tracks of the Southern Pacific)
 Railway Company (Tully Road Xing)
 No. 112-25-C))

O R D E R

The City of Modesto is authorized to widen the crossing of Tully Avenue at grade with tracks of Southern Pacific Company, (Crossing No. B-112.25-C and involving track of Crossing No. B-112.1-C) in Modesto, Stanislaus County, as described in the applications and in accordance with the plans attached thereto, crossing to be designated at No. B-112.25-C. Width of crossing shall be not less than 50 feet and grades of approach not greater than two per cent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by two Standard No. 1 crossing signs (G.O. No. 75-B) reflectorized with reflex-reflecting material.

Construction expense shall be apportioned by agreement between the parties or, if they fail to agree, by further order of the Commission. Maintenance cost outside of lines two feet outside of rails shall be borne by applicant. Southern Pacific Company shall bear maintenance cost between such lines.

No train, engine, motor or car shall be operated over the northerly track of said crossing unless said train, engine, motor or car shall be first brought to a stop and traffic on the highway protected by a member of the train crew or other competent employee acting as flagman.

Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within one year unless time be extended, or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require. Applicant has advised of an urgent need to complete the construction before the winter rains; therefore, the effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 23rd day of September 1959.

Eugene O'Connell
President

John E. Mitchell

C. J. Fox

Theodore H. Jones
Commissioners