

**ORIGINAL**Decision No. 63633

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California, Department of Public Works, for an order authorizing construction of three crossings at separated grades over the tracks of the Southern Pacific Company and the Tidewater Southern Railway Company; the construction of six crossings at grade; the alteration of an existing crossing at grade; the abandonment of four crossings at grade, and authority to connect proposed Butcher Town Spur Frontage Road into an existing county frontage road, known as River Road, beneath River Road Undercrossing, under the tracks of the Southern Pacific Company's mainline, in connection with the improvement of State Highway X-Sta-4-B, Mod. B, in Stanislaus County, referred to as the "South Modesto Overhead" and the "West Modesto Overhead".

Application No. 43593

ORDER

State of California, Department of Public Works, is hereby authorized to construct three crossings at separated grades, to construct six crossings at grade, to alter and widen one crossing at grade and to close and abolish four existing crossings at grade, involving the intersections of various State Highways, roads of the County of Stanislaus and streets of the City of Modesto with tracks of Southern Pacific Company and Tidewater Southern Railway Company, respectively, at the locations and substantially as set forth in the above numbered application, as amended, in accordance with the following:

<u>Name of Hwy., Rd. or St. (a)</u>	<u>Railroad and Identity of Track</u>	<u>Type of Crossing and Constr. Required</u>	<u>Work Authorized</u>	<u>Pro-tection Required</u>	<u>Crossing No. Designation</u>
St. Rt. 4 (U.S. 99)	S.P.Co. main line	Gr. Sep. (So. Mod. Overhd.)	Construct	-	B-114.7-A
St. Rt. 4 (U.S. 99)	T.S.Ry.Co. main line	Gr. Sep. (So. Mod. Overhd.)	Construct	-	B-114.7-A
St. Rt. 4 (U.S. 99)	S.P.Co. main line	Gr. Sep. (W. Mod. Overhd.)	Construct	-	B-111.0-A
Co. Rd. (b)	S.P.Co. main line	Gr. Cross. (d)(f)	Construct	2 Std. #8 Signals (c)(e)	B-114.9
So. 7th St. (Co. Rd.)	S.P.Co. Butcher- town Spur	Gr. Cross. (d)(f)	Construct	3 Std. #8 Signals (e)	75-31.1 (portion of)
Crows Ldg. Rd. (City St.)	S.P.Co. Butcher- town Spur	Gr. Cross. (d)(f)	Construct	2 Cant. Type Std. #8 Signals (e)	B-115.33-C
Frontage Rd. (City St.)	S.P.Co. Butcher- town Spur	Gr. Cross. (d)(f)	Construct	2 Std. #8 Signals (e)	B-115.34-C
Team Track Access Rd. (City St.)	S.P.Co. Butcher- town Spur	Gr. Cross. (d)(f)	Construct	2 Std. #1 (e) Signs reflect- orized with re- flex re- flective sheet mat.	B-115.43-C
Sonora Rd. (Co. Rd.)	T.S.Ry.Co. main line	Gr. Cross. (d)(f)	Construct	2 Std. #8 Signals (e)	75-30.75
So. 7th St. (Co. Rd.)	T.S.Ry.Co. main line	Gr. Cross. (d)(f)	Alter and widen pave- ment	3 Std. #8 Signals (e)	75-31.1

<u>Name of Hwy., Rd. or St. (a)</u>	<u>Railroad and Identity of Track</u>	<u>Type of Crossing and Constr. Required</u>	<u>Work Authorized</u>	<u>Pro-tection Required</u>	<u>Crossing No. Designation</u>
Pecos Av. (Co.Rd.)	S.P.Co. main line	Gr.Cross.	Close and abolish	-	B-114.7
Pecos Ave. (Co.Rd.)	T.S.Ry.Co. main line	Gr.Cross.	Close and abolish	-	75-31.0
So.7th St. (Co.Rd.)	S.P.Co. Butcher-town Spur	Gr.Cross.	Close and abolish	-	B-114.3-C
Crows Ldg.Rd. (City St.)	S.P.Co. Butcher-town Spur	Gr.Cross.	Close and abolish	-	B-114.4-C

(a) Jurisdiction is indicated as follows: St.Rt. being for State of California Department of Public Works, Co.Rd. being for County of Stanislaus, and City St. being for the City of Modesto.

(b) Road is to be located about 700 feet southerly of Pecos Ave., connecting So. 7th St. and existing St.Rt.4 (U.S.99).

(c) Westside signal at designated Crossing No. B-114.9 shall be equipped with two flashing light units, one to provide for a crossing approach by southbound So. 7th St. vehicular traffic and the other to provide for an approach by northbound traffic of said street.

(d) General Order No. 72.

(e) General Order No. 75-B.

<u>(f) Crossing Number (as designated)</u>	<u>Minimum Width Required (feet)</u>	<u>Minimum Percent Approach Grade Required</u>
B-114.9	40	2%
75-31.1	(See Note Below)	1%
B-115.33-C	52	2%
B-115.34-C	24	1%
B-115.43-C	44	1%
75-30.75	24	6%

Note: Width shall be substantially as set forth in the application.

The foregoing authorization is subject to the following conditions:

- (1) A fence shall be constructed along the southerly property line of United Concrete Pipe Corporation extending from the easterly right-of-way line of the Southern Pacific Company main line at or near Mile Post 114.45 in an easterly direction to the westerly property line of Tidewater Southern Railway Company, said fence to be provided with at least one gate, such gate or gates not to be located closer than one hundred feet from said Southern Pacific Company's easterly right-of-way line.
- (2) Construction of Crossing No. B-114.7-A including its earth fill approaches shall not commence until completion of the installation of three Standard No. 8 flashing light signals, as required herein, at Crossing No. 75-31.1.
- (3) Clearances shall conform to the requirements of General Order No. 26-D, except that during the period of construction of "South Modesto Overhead" and "West Modesto Overhead" applicant is authorized to create impaired vertical clearances of 21'0" above top of rail and Southern Pacific Company and Tidewater Southern Railway Company are authorized to operate with such temporary impaired clearances provided that each carrier shall issue appropriate bulletins to train and enginemen advising them of the impaired clearance conditions and forbidding trainmen to ride on the tops of cars while operating beneath the structures.
- (4) Authority granted herein shall not be construed to include authority for the track crossing of the proposed Southern Pacific Company's Butchertown spur with the Tidewater Southern Railway Company main line, in the vicinity of South 7th Street as shown in the application.
- (5) Upon completion of the project authorized herein, the public crossings of Crossings Nos. B-114.7 (Pecos Ave.), B-114.3-C (South 7th Street) and B-114.4-C (Crows Canyon Road) shall be abolished by physical closing by Southern Pacific Company.
- (6) Upon completion of the project authorized herein, the public crossing of Crossing No. 75-31.0 (Pecos Ave.) shall be abolished by physical closing by Tidewater Southern Railway Company.
- (7) Construction, abolishment and maintenance expense shall be borne in accordance with agreements to be entered into between the parties relative thereto, and copies of said agreements, together with plans of said grade

separations approved by Southern Pacific Company (both for Crossings Nos. B-111.0-A and B-114.7-A) and Tidewater Southern Railway Company (Crossing No. B-114.7-A only) shall be filed with the Commission within 180 days of the date hereof, excepting that:

- (a) Maintenance within two feet of the rails at each of the grade crossings authorized herein shall be borne by the respective railroad at each crossing.
- (b) Maintenance outside of lines two feet outside of rails at each of the crossings authorized herein shall be borne by the respective governmental agency having jurisdiction of the road at each crossing.

Should the parties fail to agree as set forth above, the Commission will apportion the cost of construction, abolishment and maintenance by further order.

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 two years 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.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 10<sup>th</sup> day of MAY, 1962.

[Signature]  
President

[Signature]

[Signature]

[Signature]

[Signature]  
Commissioners