Decision No. 11670

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the matter of the application of Southern Pacific Company for permission to construct a spur track at grade across "J" Street between Eighth Street and Ninth Street, in the City of Marysville, County of Yuba, State of California.

Application No. 8663.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, having on February 10, 1923, filed with the Commission an application for permission to construct a spur track at grade across "J" Street in the City of Marysville, County of Yuba, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the Mayor and Common Council of said City of Marysville for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said "J" Street, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted Southern Pacific Company to construct a spur track at grade across "J" Street in the City of Marysville, County of Yuba, State of California, described as follows:

> "Beginning at a point on the easterly line of "J" Street 86.5 feet more or less southerly from the southerly line of Ninth Street; thence southwesterly 65 feet; thence continuing southwesterly and along a curve to the left of radius of 410.28 feet 62 feet more or less to a point on the westerly line of said "J" Street which is 156.2 feet more or less southerly from the southerly line of Ninth Street."

All of the above as shown by the map (Sacramento-Division Drawing V-460-h) attached to the application; said crossing to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossing together with the cost of its maintenance thereafter 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 of a width and type of construction to conform to that portion of said street now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding four (4) per cent; shall be protected by a suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation maintenance and protection of said crossing as to it may seem right and proper, and to revoke its permission if, in its judgment the public convenience and necessity demand such action.

This order shall become effective ten (10) days after the making thereof.

Dated at San Francisco, California, this 16th day of February, 1923.

C. L. Seavey

H. H. Brundige

Irving Martin

J. T. Whitsey

Commissioners.

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