

Decision No. 11839

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of the)
County of Siskiyou for a permit to con-)
struct and maintain a public highway cross-) Application No. 8696
ing at grade over the right of way and)
tracks of the Southern Pacific Railroad)
at Nutglade, Dunsmuir, Siskiyou County,)
California.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Siskiyou, State of California, having on February 17, 1923, filed with the Commission an application for permission to construct a public road at grade across the track of Southern Pacific Company, hereinafter called the Railroad, in said County, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the Railroad has signified by letter that it has no objection to 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 track, and that the application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED, that permission be and it is hereby granted the Board of Supervisors of the County of Siskiyou, State of California, to construct a road at grade across the track of the Railroad at the location described as follows, to-wit:

Commencing at the northeast corner of Section 2, Township 38 north, range 4 west, M.D.B.& M., thence south $20^{\circ} 45'$ west one thousand five hundred thirty-eight (1538) feet to point of intersection of the center line of Southern Pacific track and the center line of county road.

said crossing to be constructed subject to the following conditions, viz:

(1) The expense of constructing and maintaining that portion of the crossing to lines two (2) feet outside of the rails shall be borne by the applicant. The expense of constructing and maintaining that portion of the crossing between the rails and lines two (2) feet outside thereof shall be borne by Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grade of approach not greater than four (4) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) The three public crossings located at or near engineer stations 7313, 7356 and 7390 respectively shall be legally abandoned and effectively closed to public use and travel.

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

(5) The authorization herein granted for the installation of said crossing will lapse and become void one year from the date of this order 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 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 three (3) days after the making thereof.

Dated at San Francisco, California, this 29th day of March, 1923.

O'Connor
H. O. Brundage
Dwight Mastin
Egerton Shore
J. Whittney
Commissioners.