Decision No. 12862

## ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of Application of Sacramento Northern Railroad for an order authorizing construction at grade of a standard gauge railroad track across the north and south county road, running through the Tres Vias Station Reservation, County of Butte, State of California.

Application No. 9048

BY THE COMMISSION:

## <u>ORDER</u>

Sacramento Northern Railroad, a corporation, having on May 21, 1923, filed with the Commission an application for permission to construct a track at grade across north and south County Road in the Tres Vias Station Reservation, County of Butte, 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 Board of Supervisors of said County of Butte 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 County Road, 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 Sacramento Northern Railroad to construct a track at grade across north and south County Road in the Tres Vias Station Reservation, County of Butte, State of California, described as follows:

Commencing at Station I 965/07.05 of the main line between Tres Vias and Chico which station equals 0/00 of the track herein proposed; thence southorly by a No. 9 turnout to the left and following along the easterly side of seventeen (17) feet at right angles from and parallel to the main line track, a distance of Two Hundred and Minety (290) feet to a point opposite the H.B. of the connection of the Oroville Branch with the main line; thence continuing southerly and easterly along a curve to the left which is seventeen (17) feet at right angles from and parallel to the main track of the Oroville Branch, a distance of Seven Hundred Thirty-one (731) feet to Station 10/21, of the track herein proposed, to the west line of the north and south County Road: thence easterly across said road a distance of 62.8 feet to a point in the east line of the said road to a connection with the present spur track in the easterly station reservation.

All of the above as shown by the Map (A-0709) 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 road now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding two (2) 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 three (3) days after the making thereof.

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