

ORIGINAL

Decision No. 17811

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application )  
of Northwestern Pacific Railroad )  
Company for permission to con- )  
struct and maintain industrial )  
spur track across Broadway and )  
Commercial Street, in the City of )  
Eureka, Humboldt County. )

Application No. 9356.

BY THE COMMISSION:

ORDER

Northwestern Pacific Railroad Company, a corporation, having on September 4, 1923, filed with the Commission an application for permission to construct a spur track at-grade across Broadway, Commercial Street and alleys in Blocks No. 1 and No. 4, in the City of Eureka, County of Humboldt, 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 City Council of said City of Eureka for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Broadway, Commercial Street and alleys in Blocks No. 1 and No.

4, 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 Northwestern Pacific Railroad Company to construct a spur track at grade across Broadway, Commercial Street and alleys in Blocks No. 1 and No. 4, in the City of Eureka, County of Humboldt, State of California, as shown by the map (Northern Division K-2618) attached to the application; said crossings to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said street 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 suitable crossing signs, 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 crossings.

(4) The authorization herein granted for the installation of said crossings will 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 crossings 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 10<sup>th</sup> day of November, 1925.

C. Seavey  
H. B. Brundage  
Dwight Martin

J. F. Whittney  
Commissioners.