



ORIGINAL

Decision No. 12812.

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 on Front Street, in) the City of Eureka, Humboldt) County, State of California.)

Application No. 9443.

BY THE COMMISSION:

ORDER

Northwestern Pacific Railroad Company, a corporation, having on October 19, 1923, filed with the Commission an application for permission to construct a spur track at grade across Front Street 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 (Resolution 1292) has been granted by City Council of said City of Eureka 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 Front 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 Northwestern Pacific Railroad Company to construct a spur track at grade across Front Street in the City of Eureka,

County of Humboldt, State of California, described as follows:

Beginning at a point in the main line track of Northwestern Pacific Railroad Company, between Eureka and Arcata, said point of beginning being easterly 149.8 feet, more or less, and measured along center line of said main track from the westerly line of V Street extended, thence 135.6 feet, more or less, northwesterly through a No. 9 turnout, thence 235.4 feet, more or less, on an eleven degree curve concave to the right, thence 17.7 feet, more or less on a straight line tangent to aforesaid curve, thence 139.9 feet, more or less on a fourteen degree curve to the left, thence 138.0 feet on a taper 3 curve concave to the left, thence 130.0 feet, more or less on a straight line, parallel to and 9.2 feet, more or less, southerly from the northerly line of Front Street to end of track; said end of track being 9.0 feet, more or less, easterly from the westerly line of T Street produced.

All of the above as shown by the map (C.E. 35 E) 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 Front 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 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 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 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 10th day of November, 1923.

Clarence
H. B. ...
Irving ...
J. F. Whittney
Commissioners.