

Decision No. 12842.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of application of
Southern Pacific Company for an
order authorizing the construction
at grade of a spur track across a
portion of "E" Street and across
13th Street, in the City of Marys-
ville, County of Yuba, State of
California.

ORIGINAL

Application No. 9521.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, having on November 14, 1923, filed with the Commission an application for permission to construct a spur track at grade across a portion of "E" Street and across 13th 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 (Ordinance 233) has been granted by Common Council of said City of Marysville for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said "E" Street and

13th 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 "E" Street and 13th Street in the City of Marysville, County of Yuba, State of California, described as follows:

Beginning at a point in the center line of "E" Street, 120 feet north of the north line of 13th Street; thence running southerly on curve to the left a distance of 160 feet to a point 20 feet at right angles easterly from the center line of "E" Street; thence curving to the right a distance of 80 feet to a point in the east line of "E" Street, said point being distant 39 feet southerly from the south line of 13th Street.

All of the above as shown by the map (Sacramento Division Drawing, Sac - 6447) 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 "E" Street and 13th Street now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding One (1) 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 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 19th day of November 1923.

C. Seamy
H. B. Bond
Irving Matson
Ernest Shore
J. P. Whittley
Commissioners.