

ORIGINAL

Decision No. 12955

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application)
of Butte County, State of California)
for the construction of a highway)
crossing over the Southern Pacific) Application No. 9387
Railroad right of way near Nelson,)
in said Butte County.)

BY THE COMMISSION:

ORDER

Board of Supervisors of the County of Butte, State of California, having on September 17, 1923, filed with the Commission an application for permission to construct a public road at grade across the tracks of Southern Pacific Company, hereinafter called the Railroad, in said County of Butte, 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 will not object 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 Butte, State of California, to construct a public road at grade across track of the Railroad, the intersection between the center line of said public road and center line of track of said Railroad being described as follows:

Four thousand two hundred and fifteen (4215.0) feet South 1 degree 39 minutes east from the northwest corner of Section 8, Township 20 North, Range 2 East, M.D.B. & M.

All of the above as shown by the map attached to the application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing, shall be borne by applicant. The cost of its maintenance up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails 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 grades 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) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) If said crossing shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, 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 ten (10) days from the making thereof.

Dated at San Francisco, California, this 27th day of December, 1923.

C. Seaver

Dwight Mastace
Garion Shore

Commissioners.