

Decision No. 13158

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the
People of the State of California
on Relation of the California
Highway Commission for an order
authorizing the construction of a
State Highway crossing at grade
over the tracks of the California
Central Railroad, near Betabel,
San Benito County, California.

Application No. 9623

ORIGINAL

BY THE COMMISSION:

O R D E R

People of the State of California on relation of the California Highway Commission, having on December 19, 1923 filed with the Commission an application for permission to construct a Highway at grade across the track of California Central Railroad, hereinafter called the Railroad, near Betabel, in said County of San Benito, 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 has no objections 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 People of the State of California on relation of the California Highway Commission, to construct a Highway at grade

across track of the Railroad 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 crossings between lines two (2) feet outside of the outside rails shall be borne by California Central Railroad.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of twenty-seven (27) degrees to the railroad and with grades of approach not greater than two 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 three (3) days from the making thereof.

Dated at San Francisco, California, this 15th day of February, 1924.

W. Seaver

H. V. Bunting

Ernest Shore

J. T. Whitting

Commissioners.