

Decision No. 15028

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
the County of Tehama for leave to
construct a crossing over the right
of way of Southern Pacific Company
in Section 15, T. 29 N., R. 4 W.,
M. D. B. & M.

Application No. 10819.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Tehama, State of California, filed the above entitled application with this Commission on the seventh day of February, 1925, asking for authority to construct a public road at grade across the track of Southern Pacific Company in said county, as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the construction of said crossing at grade, and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing with said tracks at the point mentioned in this application, and that this application should be granted, subject to the conditions hereinafter specified.

THEREFORE, IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to the Board of Supervisors of the County of Tehama, State of California, to construct a public road at grade across the track of Southern Pacific Company, as follows:

Beginning at a point which lies 30 feet northeast of the intersection of the southeasterly right of way line of the Southern Pacific Company with the east and west center line of Sec. 15, T. 29 N., R. 4 W., measured along said right of way line, thence northwesterly at right angles to said right of way line a distance of 200 feet to a point on the northwesterly line of said Southern Pacific Company's right of way, thence at right angles southwesterly along said northwesterly right of way line 60 feet to a point, thence at right angles southeasterly 200 feet to a point on said southeasterly right of way line, thence at right angles northeasterly 60 feet to the point of beginning.

and as shown by the map (Exhibits 1, 2 and 3) 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 six (6) 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) Two of the three private crossings located between the crossing herein authorized and the Draper Road crossing (including the private crossing approximately 300 feet southwest of the crossing herein authorized) shall be abandoned and effectively closed.

(6) 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 on the date hereof.

Dated at San Francisco, California, this 1th day of June, 1925.

H. B. ...

C. ...

Egerton Shure

Commissioners.