

Decision No. 15088

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the Yosemite Valley Railroad)
Co., a Corporation, and Merced)
Irrigation District, a District)
organized and existing under the)
California Irrigation District)
Act, for permission to construct)
a railroad crossing for a public)
road.)

ORIGINAL

Application No. 10985.

BY THE COMMISSION:

O R D E R

Yosemite Valley Railroad Company, a corporation, and Merced Irrigation District, filed the above-entitled application with this Commission on the 6th day of April, 1925, asking for authority to construct a main track at grade across a certain public road in the Town of Merced Falls, County of Merced, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Supervisors of said County for 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 at the point mentioned in this application with said public road 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 Applicants to construct a main track at grade across a certain public road, in the Town of Merced Falls, County of Merced, State of California, as follows:

Beginning at a point which is South 85 degrees 16' East 290 feet from a point on the West line of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Four (4), Township Five (5) South, Range Fifteen (15) East, Mount Diablo Base and Meridian, which said last-mentioned point is 756.6 feet South of the Northwest corner of said Northeast Quarter of said Quarter-section, and running thence, parallel to and about twenty (20) feet North of the center line of the present line of the Yosemite Valley Railroad as constructed about 1906, North 85 degrees 16' West (erroneously called East in application) 310 feet; thence North 68 degrees 14' West 182.8 feet to a point in the Southerly line of the existing County Road in the Northwest Quarter of said Southeast Quarter of said Section 4.

and as shown by the map (5-72) attached to the application; said crossing to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossing shall be borne by Applicants. The cost of its maintenance up to lines two (2) feet outside of the outside rails shall be borne by County of Merced. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by the Yosemite Valley Railroad Company.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of said public road as graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding six (6) 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) The faces of the railroad and roadway cuts shall be excavated to such an extent that, from points one hundred (100) feet in each direction from the intersection of the center lines of the railroad and roadway measured along the center line of said roadway, a clear view may be had of the railroad for a distance of at least two hundred and fifty (250) feet in each direction from the intersection of said center lines measured along the center line of the railroad.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(5) 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.

(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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 22^d day of June, 1925.

H. B. ...
A. Seaver

George D. Squires
Emmett ...
Commissioners.