

Decision No. 15854.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of the SACRAMENTO NORTHERN RAIL-  
WAY for permission to construct  
a spur track at grade across a  
portion of High Street, and  
across Huntoon Street, public  
streets in the City of Oroville,  
County of Butte, State of Cali-  
fornia.

Application No. 12,216.

BY THE COMMISSION:

O R D E R

Sacramento Northern Railway, a corporation, filed the above-entitled application with this Commission on the 5th day of December, 1925, asking for authority to construct a spur track at grade across a portion of High Street and at grade across Huntoon Street in the City of Oroville, County of Butte, State of California, as hereinafter set forth. The necessary franchise or permit (Exhibit "B") has been granted by the Board of Trustees of said City of Oroville for the construction of said crossing at grade. 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 grade separations, or to avoid grade crossings at the points mentioned in this application with said High and Huntoon Streets 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 Sacramento Northern Railway to construct a spur track at grade across a portion of High Street and at grade across Huntoon Street in the City of Oroville, County of Butte, State of California, as follows:

Beginning at a point of switch in the main line of Sacramento Northern Railway on High Street approximately 160 feet west of the west line of Huntoon Street; thence to the right by right hand branch off and continuing in a southeasterly direction along the frog tangent of the branch off crossing the intersection of Huntoon and High Streets to the southeasterly corner of said intersection; thence running easterly along the side walk area on the south side of High Street parallel with and 6.5 feet north of the south line of High Street to the westerly line of Myers Street the end of proposed spur track of a total length of approximately 500 feet.

and as shown by the map (No. 4677-P) 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 equal or superior to type shown as Standard No. 3 in General Order No. 72 of this Commission and shall be constructed of a width to conform to those portions of said streets now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding six (6) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Nothing in this order shall be construed as an authorization by this Commission for the construction of a track in such a manner as will be contrary to any of the provisions of General Order No. 26-a of this Commission.

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

(5) If said crossings 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 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.

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

Dated at San Francisco, California, this 15<sup>th</sup> day of January, 1926.

H. H. Brundage

C. Seaver

George D. Squires

Leon White

Commissioners.