

Decision No. 16620

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of  
Northwestern Pacific Railroad Com-  
pany for an order authorizing the  
construction at grade of a spur  
track across Twelfth Street, in the  
City of Arcata, County of Humboldt,  
State of California. ) Application 12799.

BY THE COMMISSION:

O R D E R

Northwestern Pacific Railroad Company, a corporation, filed the above-entitled application with this Commission on the 30th day of April, 1926, asking for authority to construct a spur track at grade across Twelfth Street in the City of Arcata, County of Humboldt, State of California, as hereinafter set forth. The necessary franchise or permit (dated April 28, 1926) has been granted by the Board of Trustees of said City of Arcata 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 a grade separation or to avoid a grade crossing at the point mentioned in this application with said Twelfth Street 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 Northwestern Pacific Railroad Company to construct a spur track at grade across Twelfth Street in the City of Arcata, County of Humboldt, State of California, as follows:

Commencing at a point in the northerly line of Twelfth Street distant 1.3 feet, measured easterly along said northerly line, from the northwest corner of Twelfth and "L" Streets; running thence in a general southerly direction on a 15 degree curve to the right, whose tangent at the point of commencement bears South  $20^{\circ} 26\frac{1}{2}'$  West, 33.5 feet to a point of tangency; thence on a tangent South  $25^{\circ} 28'$  West 16.1 feet to a point of curve; thence on a 15 degree curve to the left 0.9 feet to a point in the southerly line of Twelfth Street distant 5.8 feet, measured westerly along said southerly line, from the southwest corner of Twelfth and "L" Streets;

and as shown by the map (C.E. 86-B) attached to the application; said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing shall be constructed equal or superior to type shown as Standard No. 2, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to that portion of said Twelfth Street now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding two (2) 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) 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.

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

Dated at San Francisco, California, this 3d day of May, 1926.

H. B. ...  
C. Lewis  
Edward ...  
\_\_\_\_\_  
\_\_\_\_\_

Commissioners.