

Decision No. 17067

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Nevada-California-Oregon Railway, a
corporation, for permission to con-
struct, maintain and operate, at grade,
a railroad crossing in the Town of Alturas,
County of Modoc, State of California.

Application No. 12866.

BY THE COMMISSION:

O R D E R

Nevada-California-Oregon Railway, a corporation, filed the above-entitled application with this Commission on the 21st day of May, 1926, asking for authority to construct a spur track at grade across Twelfth Street in the Town of Alturas, County of Modoc, State of California, as hereinafter set forth. The necessary franchise or permit (dated - May 17th, 1926) has been granted by the Board of Trustees of said Town of Alturas 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 Nevada-California-Oregon Railway to construct a spur track at grade across Twelfth Street in the Town of Alturas, County of Modoc, State of California, as follows:

The said track to turn out of the present lead of the side-track to the south and eastward, extending southward across Twelfth Street into property of Nevada-California-Oregon Railway leased to the Shell Oil Company;

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and as shown in red on the map of wye and spur tracks, 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 at same elevation as main line rails and 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 July, 1926.

H. B. Brown, Director

C. L. Seaver

Lion Whitell

Commissioners.