

Decision No. 17850

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of County of Mendocino for permission to construct a grade crossing across Northwestern Pacific Railroad in Calpella, Mendocino County.

Application No. 13375.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Mendocino, State of California, filed the above entitled application with this Commission on the 8th day of December, 1926, asking for authority to construct a public road known as Moore Street at grade across the track of Northwestern Pacific Railroad Company, in the Village of Calpella, as hereinafter set forth. Said Northwestern Pacific Railroad 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 track 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 Mendocino, State of California, to construct a public road, known as Moore Street, at grade across the track of Northwestern Pacific Railroad Company at the location hereinafter particularly described and as shown by the maps and profile attached to the application.

Description of Crossing.

Beginning at a point in the South line of Moore Street in the Town of Calpella, Mendocino County, Calif., distant 50 feet Westerly from the center line of the N. W. P. R.R. Co. right-of-way, as at present fenced, said point of beginning being 145 feet Easterly of the South East corner of Moore Street and the California State Highway; thence northerly parallel with, and distant 50 feet from the said center line to the North line of Moore Street; thence Easterly along the North line of said Moore Street 100 feet more or less to the East line of said Right-of-way as at present fenced; thence southerly and parallel with the center line of said Right-of-way to the south line of said Moore Street, and thence Westerly along the South line of Moore Street 100 feet more or less to the point of beginning.

Said crossing shall be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing up to lines two (2) feet outside of the rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the rails shall be borne by Northwestern Pacific Railroad Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Northwestern Pacific Railroad Company.

(2) The crossing shall be constructed of a width not less than twenty (20) feet and at an angle of approximately ninety (90) degrees to the railroad and with grades of approach not greater than one (1) per cent; shall be constructed substantially in accordance with Standard No. 2 as specified in General Order No. 72 of this Commission; 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) The existing public crossings serving bridge at "A" and road at "C", as set forth in paragraph V of the application, shall be legally abandoned and effectively closed to public use and travel upon completion of the crossing granted in this proceeding.

(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 6th day
of January, 1927.

H. B. Brundige
C. Seaver
Edmund East
Leon Whitall
Shou K. Koo

Commissioners.