

Decision No. 17810

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of	)
The People of the State of California,	)
on relation of the California Highway	)
Commission, for an order authorizing	)
the construction at grade of a State	)
Highway grade crossing of the tracks	)
of the Southern Pacific Railroad, near	)
Tahoe City, Placer County, California,	)
and for the abandonment of the present	)
crossing at Tahoe City, Placer County,	)
California.	)

Application No. 13341.

BY THE COMMISSION:

ORDER

The People of the State of California on relation of the California Highway Commission filed the above entitled application with this Commission on the 11th day of December, 1926, asking for authority to construct a state highway at grade across the tracks of Southern Pacific Company and for the abandonment of an existing crossing at grade across said tracks, in the vicinity of Tahoe City, Placer County, California, as hereinafter set forth. Said Southern Pacific 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 tracks 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 California Highway Commission to con-

struct a state highway at grade across the tracks of Southern Pacific Company and to abandon an existing highway grade crossing near Tahoe City, Placer County, California, at the location shown by the map (Div. III; County, Placer; Route 38; Sec. A) attached to the application.

Description of Crossing To be Constructed

Beginning at a point where the northerly right-of-way line of Southern Pacific Company intersects the easterly right-of-way line of California State Highway Section A, Route 38, Division III, in Placer County, and opposite C.H.C. Eng. Station 446+15+; thence southerly along said easterly highway right-of-way line on a curve to the right, having a radius of 3040 feet a distance of 102.6 feet to a point on the southerly right-of-way line of Southern Pacific Company; thence westerly along said southerly railroad right-of-way line a distance of 82.71 feet to a point on the westerly right-of-way line of said State Highway; thence northerly along said westerly highway right-of-way line on a curve to the left with radius of 2960 feet a distance of 102.8 feet to a point on the northerly railroad right-of-way line; thence easterly along said northerly railroad right-of-way line a distance of 83.39 feet to the point of beginning.

The above crossing shall be identified as Crossing No. AM 222.22.

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

(1) The entire expense of constructing the crossing authorized and of abandoning the existing crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing to be constructed up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific 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 Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of approximately seventy-three (73) 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. 3 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. The existing crossing about sixty five (65) feet west of the new crossing shall be removed.

(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 17<sup>th</sup> day of January, 1927.

Ernest  
W. B. ...  
...  
Leon ...  
Thos ...