

Decision No. 18302.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of the Petaluma and Santa Rosa Railroad Company for permission to construct three spur tracks at grade across Third Street between Wilson Street and Railroad Avenue in the City of Santa Rosa, County of Sonoma, State of California.

Application No. 13,298.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Petaluma and Santa Rosa Railroad Company filed an application on November 5, 1926, for authority to construct three spur tracks at grade across Third Street, to relocate a portion of an existing spur track at grade across Third Street and to abandon two existing spur tracks, one at grade across Third Street and one at grade across Wilson Street, all in the City of Santa Rosa, County of Sonoma, State of California. Authority to construct, relocate and abandon these crossings was granted in this Commission's Decision 17,679, dated November 29, 1926.

On March 3, 1927, the Petaluma and Santa Rosa Railroad Company filed a supplemental application in which request is made to construct the crossings at Third Street at slightly different locations than those authorized in said Decision No. 17,679 and, in addition, to construct a crossing of Second Street and of a spur track in Second Street operated by the Northwestern Pacific Railroad Company.

The necessary franchise or permit (Resolution No. 1198A) has been granted by the City Council of the City of Santa Rosa for the construction of crossings at the new locations on Third Street and the location on Second Street. The Northwestern Pacific Railroad Company has signified by letter that it has no objection to the construction of said crossing in Second Street with the spur track operated by it. It appears to the 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 supplemental application with said Second and Third Streets and said spur track in Second Street, operated by Northwestern Pacific Railroad Company; that this supplemental application should be granted subject to the conditions hereinafter specified and that the portion of said Decision No. 17,984, authorizing the construction of certain crossings of Third Street, be revoked, therefore

IT IS HEREBY ORDERED that the portion of this Commission's Decision No. 17,984, authorizing the construction of spur tracks at grade across Third Street, Santa Rosa, at the following locations:

First: A track crossing Third Street approximately seventy-eight (78) feet southwest of Wilson Street.

Second: A track crossing Third Street approximately one-hundred and twenty (120) feet southwest of Wilson Street.

Third: A track crossing Third Street approximately one-hundred and thirty-three (133) feet southwest of Wilson Street,

be and it is hereby revoked. In all other respects, this Commission's Decision No. 17,984, dated November 29, 1926, shall remain in full force and effect.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted to Petaluma and Santa Rosa Railroad Company to construct three spur tracks at grade across Third Street

and one spur track at grade across Second Street, in the City of Santa Rosa, County of Sonoma, State of California, at the locations hereinafter particularly described and as shown by the map (Santa Rosa Yard) attached to the supplemental application.

DESCRIPTION OF CROSSINGS

- First: A track crossing Third Street approximately eighty-three (83) feet southwest of Wilson Street.
- Second: A track crossing Third Street approximately one-hundred and twenty-seven (127) feet southwest of Wilson Street.
- Third: A track crossing Third Street approximately one-hundred and forty (140) feet southwest of Wilson Street.

The above crossings shall be identified as Crossing No. 67B-6.6.

- Fourth: A track crossing Second Street at its intersection with Railroad Street, between the present Main Line and Yard Track, all as outlined in red on the accompanying blue print.

The above crossing shall be identified as Crossing No. 67B-6.5.

Said crossings to be constructed subject to the following conditions, namely:

(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 without superelevation and of a width to conform to those portions of said Second and Third Streets now graded, with the tops of rails at same elevation as main line rails and flush with the pavements, and with

grades of approach not exceeding one (1) 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.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted to Petaluma and Santa Rosa Railroad Company to construct a spur track at grade across a spur track operated by the Northwestern Pacific Railroad Company at Second Street, in the City of Santa Rosa, County of Sonoma, State of California, at the location hereinafter particularly described and as shown by the map (Santa Rosa Yard) attached to the application.

DESCRIPTION OF CROSSING

A track crossing spur track operated by the Northwestern Pacific Railroad Company in Second Street at a point about twenty-three (23) feet easterly of the existing crossing of applicant's main line in Railroad Avenue with said spur track operated by Northwestern Pacific Railroad Company, 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, shall be borne by applicant.

(2) All trains, motors, engines and cars, of applicant shall stop before crossing the track operated by the Northwestern Pacific Railroad Company and shall not proceed thereover until it has been ascertained that it is safe so to do.

(3) All trains, motors, engines and cars, of the Northwestern Pacific Railroad Company shall stop before crossing the track operated by the applicant and shall not proceed thereover until it has been ascertained that it is safe so to do.

(4) Applicant shall, within ninety (90) days of the

date of this order, file with the Commission a duly executed copy or copies of agreement or agreements entered into by it with the Northwestern Pacific Railroad Company and covering the terms of installation, operation and maintenance of said crossing.

IT IS HEREBY FURTHER ORDERED that said street and railroad spur track crossings are granted subject to the following conditions:


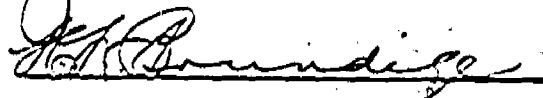

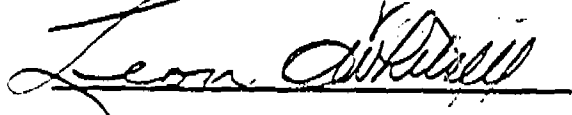
(1) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(2) 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.

(3) 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 29th day of April, 1927.

Commissioners.