

Decision No. 19073 -

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
the County of Marin for approval of  
proposed construction of overhead  
crossing over the Mt. Tamalpais and  
Muir Woods Railway.

**ORIGINAL**

Application No. 14186.

BY THE COMMISSION:

ORDER

The County of Marin, State of California, filed the above entitled application with this Commission on the 2nd day of November, 1927, asking for authority to construct a public road running from the Town of Mill Valley to Stinson Beach, over the track of the Mt. Tamalpais and Muir Woods Railway at a point approximately three miles northwesterly from the Town of Mill Valley as hereinafter set forth. Said Mt. Tamalpais and Muir Woods Railway has signified by letter that it has no objection to the construction of said overhead crossing and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is in the interest of public convenience and necessity that the separation of grades be constructed 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 Marin, State of California, to construct a public road running from the Town of Mill Valley to Stinson Beach over the track of Mt. Tamalpais and Muir Woods Railway at a point approximately three miles northwesterly of said Town of Mill Valley as hereinafter particularly described and as shown by the maps (Co. Marin, Road 13; Sheets #7 & 8) and detail plans filed with the application. It may be noted that engineer stations on the maps do not correspond to those in easement described below. This is due to the maps being made on a new survey which crosses the railroad right of way within the easement granted under the original survey.

DESCRIPTION OF CROSSING.

A strip of land 60 feet wide and 30 feet on each side of a center line described as follows, to wit:

BEGINNING at a point which is County Surveyor's Station 137+53.73 of Section #1 of the location of the new highway from Mill Valley to Stinson Beach. Said point being on the Southerly line of a 100 feet right of way of the Tamalpais and Muir Woods Railroad, as said right of way is described in that certain deed recorded on December 4, 1906, in Book 103 of Deeds on Page 110, Marin County Records. Said point being further described as being 515.82 feet North and 220.86 feet West from the Northwesterly corner of the "Pipe Line Tract", as said tract is laid down and delineated upon that certain Map entitled "Map of Pipe Line Tract", filed the 2nd day of July, 1913, in Map Book 4, Page 45, Marin County Records; thence from said point of commencement curving to the left with a radius of 100 feet through an angle of 25° 25' for a distance of 44.38 feet, thence N. 23° 21' West 57.05 feet to a point on the Northerly line of the above mentioned railroad right of way. Containing approximately an area of .14 acres, more or less.

The above crossing shall be identified as Crossing No. 29B-1.06-A.

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

(1) The entire expense of constructing and maintaining the overhead crossing shall be borne by applicant.

(2) Said grade separation shall be constructed with

clearances conforming to provisions of this Commission's General Order No. 26-C.

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

(4) If said overhead 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 overhead 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 2nd day of ~~November~~ <sup>December</sup>, 1927.

Ernest W. Adams  
Chas. S. ...  
Leon ...  
John S. ...  
M. J. ...  
 Commissioners.