

Decision No. 19535.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the construction at grade of an extension of a spur track across a portion of 10th Street, in the City of Montague, County of Siskiyou, State of California.

Application No. 14508.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 15th day of March, 1928, asking for authority to extend a spur track at grade across a portion of 10th Street south of Spiers Street in the City of Montague, County of Siskiyou, State of California, as hereinafter set forth. The necessary permit (dated February 17, 1928,) has been granted by the City Council of said City 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 portion of 10th 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 Southern Pacific Company to extend a spur track at grade across a portion of 10th Street south of Spiers Street in the City

of Montague, County of Siskiyou, State of California, at the location hereinafter particularly described and as shown by the map (Shasta Div'n. A. G. M. 4663, Sheet 1 of 1) attached to the application.

DESCRIPTION OF CROSSING

Commencing at the southwest corner of 10th Street and Spiers Street as shown on the recorded map of the town of Montague, said point being also 390 feet opposite and at right angles to Engineer's Station 10202+20.1 of the original located center line of the Central Pacific Railway; thence southerly along the easterly right of way line, said line being also the westerly line of 10th Street, a distance of 35.0 feet to a point in the center of the track of spur crossing; thence southerly along the arc of a curve having a radius of 573.14 feet, a distance of 91.83 feet to a point on westerly Street line, tangent to said curve at right of way line makes an angle of $56^{\circ} 05'$ to the said right of way line.

The above crossing shall be identified as Crossing No. C-375.6-C.

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 street now graded, with the tops of rails flush with the roadway, and with grades or approach not exceeding two (2) per cent; shall be protected by a Standard No. 1 crossing sign as specified in General Order No. 75 of this Commission and shall in every way be made suitable 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 in-

stallation 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 2nd day of April, 1928.

Leon White

A. Seamy

Frank Smith

Thos. D. Smith

M. J. ...

Commissioners.