

Decision No. 19830.**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construction
at grade of a spur track across
the State Highway, at Tahoe City,
County of Placer, State of California.

Application No. 14710.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 21st day of May, 1928, asking for authority to construct a spur track at grade across the State Highway at Tahoe City, County of Placer, State of California, as hereinafter set forth. 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 State Highway 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 construct a spur track at grade across the State Highway at Tahoe City, County of Placer, State of California, at the location hereinafter particularly described and as shown by the map (Division Engineer's Drawings S-474-A) attached to the application.

DESCRIPTION OF CROSSING.

"Commencing at a point on the northwesterly right of way

line of the Southern Pacific Company's operated line to Tahoe City, which point is opposite and at right angles northwesterly and distant 25 feet from the center line of said railroad at Engineer's Station 13+48.66.

"Thence on the arc of a curve, concave to the right, a radius of 477.68 feet, a distance of 96.0 feet; thence leaving said curve on a line making an angle of $23^{\circ}13\text{-}3/4'$ with said operated line to Tahoe City, a distance of 73.70 feet; thence along the arc of a curve concave to the left of radius 477.68 feet, a distance of 5.28 feet to a point on the northwesterly line of said highway, which point is opposite at right angles northwesterly and distant 85.0 feet from the above-mentioned center line of Engineer's Station 11+84.61."

The above crossing shall be identified as a portion of Crossing No. AM-222.89-C.

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

(1) Applicant shall within thirty (30) days submit a certified copy of a permit from the Department of Public Works, Division of Highways, of the State of California for the construction of said crossing at grade and in the event that this is not done, the authorization herein granted for the installation of said crossing shall lapse and shall thereupon become null and void and of no further force and effect.

(2) 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.

(3) Said crossing 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 that portion of said highway now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding one (1) 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.

(4) No train, engine, motor or car shall be operated over said crossing unless said train, engine, motor or car shall be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

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

(6) 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.

(7) 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 29th day of May, 1928.

Leon Whiteley
As Secretary
Edward J. [unclear]
John D. [unclear]
[unclear]

Commissioners.