

Decision No. 19998

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

<p>In the matter of application of North- western Pacific Railroad Company for an order authorizing the construction at grade of a spur track across County Road (also known as "A" Street) in the Town of Fulton, County of Sonoma, State of California.</p>	}
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Application No. 14823.

BY THE COMMISSION:

O R D E R

Northwestern Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 25th day of June, 1928, asking for authority to construct a spur track at grade across a County Road, known as "A" Street, in the Town of Fulton, County of Sonoma, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Supervisors of said County 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 County Road 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 Northwestern Pacific Railroad Company to construct a spur track at grade across a County Road, known as "A" Street, in the Town of Fulton, County of Sonoma, State of California,

at the location as shown by the map (Drawing No. C.E.-101-B) attached to the application.

The above crossing shall be identified as a portion of Crossing No. 5-58.7.

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

(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 of a width to conform to that portion of said road now graded, with the tops of rails flush with the roadway and with grades of 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 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 9<sup>th</sup> day of July, 1928.

Leon White

W. H. Sawyer

Ernest B. Smith

Paul S. Lott

M. J. Case

Commissioners.