

Decision No. 20099

## 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 new spur track and relocation of existing spur track at grade across First Street, in the Town of Calistoga, County of Napa, State of California.

Application No. 14862.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 6th day of July, 1928, asking for authority to construct a spur track and relocate an existing spur track at grade across First Street in the Town of Calistoga, County of Napa, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Town Council of said Town for the construction of said crossings 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 grade crossings at the points mentioned in this application with said First 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 construct a spur track and relocate an existing spur track at grade across First Street in the Town of Calistoga, County of Napa, State of California,

at the locations hereinafter particularly described and as shown by the map (Western Division Drawing No. C-226, Sheet No. 1) attached to the application.

Description of Crossings

CENTER LINE DESCRIPTION OF SPUR TRACK TO BE  
RELOCATED ACROSS FIRST ST., AT CALISTOGA.

BEGINNING at the intersection of the easterly line of First St. with the southerly line of Railroad Ave.; thence southerly along the said easterly line of First St. a distance of 35 feet more or less to a point on the center line of the track to be described; thence northwesterly on the arc of a curve concave to the left a distance of 61 feet more or less to a point on the westerly line of First St., said point being a distance of 42 feet more or less southerly measured along the westerly line of First St. from the southerly line of Railroad Ave.

CENTER LINE DESCRIPTION OF PROPOSED SPUR  
TRACK ACROSS FIRST ST., AT CALISTOGA.

BEGINNING at the intersection of the easterly line of First St. with the southerly line of Railroad Ave.; thence southerly along the said easterly line of First St. a distance of 80 ft. more or less to a point on the center line of the track to be described; thence northwesterly a distance of 58 ft. more or less to a point; thence on the arc of a curve concave to the right having a radius of 286.843 ft. an arc distance of 4 ft. more or less to a point on the westerly line of First St. said point being a distance of 85 ft. more or less southerly measured along the westerly line of First St. from the southerly line of Railroad Ave.

CENTER LINE DESCRIPTION OF NEW LOCATION OF  
SPUR TRACK ACROSS FIRST ST., AT CALISTOGA.

BEGINNING at the intersection of the easterly line of First St. with the southerly line of Railroad Ave.; thence southerly along the said easterly line of First St. a distance of 35 ft. more or less to a point on the center line of the track to be described; thence northwesterly along the arc of a curve concave to the right a distance of 62 ft. more or less to a point on the westerly line of First St. said point being a distance of 36 ft. more or less southerly measured along the westerly line of First St. from the southerly line of Railroad Ave.

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

(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 should be so constructed that grades of approach not exceeding three (3) per cent will be feasible in the event that the construction of roadway along said First Street shall hereafter be authorized and so that said grade crossings may be made suitable for the passage thereover of vehicles and other road traffic.

(3) This order is made upon the express condition that First Street is not now actually constructed and open to travel at the respective points of crossing, and said order shall not be deemed an authorization for the construction of an opening of said street to public use across said railroad tracks.

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

(5) 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.

(6) 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 11<sup>th</sup> day of July, 1928.

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*W. S. Leary*  
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*W. M. ...*  
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*W. S. ...*  
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Commissioners.