

Decision No. 20152

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

IN THE MATTER OF THE APPLICATION OF
 THE COUNTY OF BUTTE, STATE OF CALIFORNIA
 FOR PERMISSION TO ALTER A COUNTY ROAD
 CROSSING THE BUTTE COUNTY RAILROAD
 AT PARADISE, BUTTE COUNTY, CALIFORNIA.

ORIGINAL

Application No. 14771.

BY THE COMMISSION:

ORDER

The Board of Supervisors, County of Butte, State of California, filed the above entitled application with this Commission on the 8th day of June, 1928, asking for authority to move an existing public road known as Foster Road at grade across the track of Southern Pacific Company (designated as The Butte County Railroad in the title of the application), in the vicinity of the Town of Paradise as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the moving of said crossing at grade, and 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 with said track 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, County of

Butte, State of California, to construct Foster Road at grade across the track of Southern Pacific Company twenty (20) feet east from its existing location and at the location as shown by the map attached to the application.

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

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle to the railroad as shown by the map attached to the application and with grades of approach not greater than four (4) per cent; shall be constructed substantially in accordance with Standard No. 2 as specified in General Order No. 72 of this Commission; 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 thereon 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 24th day of August, 1928.

C. L. Jaeger

Emmett

Thos. B. Lovell

M. H. Lee

 Commissioners