

Decision No. 20234

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

<p>In the matter of the application of the County of Nevada, State of California, for the abandonment of a highway crossing over the Southern Pacific Railway track at Soda Springs Station, Nevada County, California.</p>
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Application No. 14928.

BY THE COMMISSION:

ORDER

The Board of Supervisors of the County of Nevada, State of California, filed the above entitled application with this Commission on the 30th day of July, 1928, asking for authority to construct a public road at grade across the tracks of Southern Pacific Company in the vicinity of Soda Springs Station, as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the construction 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 tracks 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 of the County of Nevada, State of California, to construct a public road at grade across the tracks of Southern Pacific Company at a point approximately three hundred feet (300') east of Soda Springs Station

Building, as now located, and as shown by the map (Sacramento Division Drawing U-936-a) filed with the application.

The above crossing shall be identified as Crossing No. A-190.8.

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

(1) The entire expense of constructing and thereafter maintaining that portion of the crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The expense of constructing and thereafter maintaining that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than six (6) 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 Standard No. 1 crossing signs, 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) The existing public crossing located approximately one-half mile west of the crossing herein authorized, and identified as Crossing No. A-190.4, shall be legally abandoned and effectively closed to public use and travel.

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

(5) 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.

(6) 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 20<sup>th</sup> day of September, 1928.

Leon Whately

C. Seacy

Thos. S. Lott

Commissioners.