

Decision No. 20709.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of  
CENTRAL PACIFIC RAILWAY COMPANY  
and SOUTHERN PACIFIC COMPANY for  
an order authorizing construction  
at grade of proposed line of rail-  
road from Klamath Falls, Oregon, to  
Alturas, California, across public  
roads and highways in Siskiyou  
County, California.

ORIGINAL

Application No. 15241.

BY THE COMMISSION:

ORDER

Central Pacific Railway Company, a corporation, and Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 5th day of December, 1928, asking for authority to construct a line of railroad track at grade across certain roads in the County of Siskiyou, State of California, as hereinafter set forth. Applicants state that they have the right to construct said crossings across the public roads or highways under consideration under provisions of subdivision 5, Section 465, of the Civil Code of the State of California, and that a permit or franchise is not required from any other county or state authority. 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 grade separations or to avoid grade crossings at the points mentioned in this application with said roads 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 Central Pacific Railway Company and Southern Pacific Company to construct a line of railroad track at grade across certain roads in the County of Siskiyou, State of California, at the locations hereinafter particularly described and as shown by the map (map No. 21381, Central Pacific Company Klamath Falls to Alturas County Road Crossings, Sheets Nos. 1, 2 and 3) attached to the application.

DESCRIPTION OF CROSSINGS

CROSSING NO. 1, ROAD CROSSINGS SHOWN ON SHEET 1 OF MAP NO. 21381. COUNTY ROAD CROSSING AT "B" 1140+73.0.

Commencing at a point on the northerly boundary line of the County Road running easterly along the boundary line between States of California and Oregon, which State boundary line is also the north line of Section 16, Township 48 North, Range 4 East, Mt. Diablo Base and Meridian; thence South  $39^{\circ} 34'$  East and crossing the center line of said road at Engineer Station "B" 1140+73.0, to a point on the southerly boundary line of said road.

The above crossing shall be identified as Crossing

*rem*  
No. CFA-533.4-~~11~~.

CROSSING NO. 2, COUNTY ROAD CROSSING AT "B" 1201+35.0.

Commencing at a point on the westerly boundary line of the County Road running northerly along the line between Sections 21 and 22, Township 48 North, Range 4 East, Mt. Diablo Base and Meridian; thence South  $39^{\circ} 34'$  East and crossing the center line of said road at Engineer Station "B" 1201+35.0 to a point on the easterly boundary line of said road.

The above crossing shall be identified as Crossing

*187m*  
No. CFA-532.3-~~11~~.

CROSSING NO. 3, ROAD CROSSINGS SHOWN ON SHEET 2 OF MAP NO. 21381. COUNTY ROAD CROSSING AT "F" 1231+83.3.

Commencing at a point on the northerly boundary line of the County Road running easterly between Sections 22 and 27, Township 48 North, Range 4 East, Mt. Diablo Base and

Meridian; thence South 39° 34' East and crossing the center line of said road at Engineer Station "F" 1231+83.3; to a point on the southerly boundary line of said road.

The above crossing shall be identified as Crossing

*175m*  
No. CFA-531.7-4.

CROSSING NO. 4, COUNTY ROAD CROSSING AT "F" 1243+05.6

Commencing at a point on the westerly boundary line of the County Road running northerly through Section 27, Township 48 North, Range 4 East, Mt. Diablo Base and Meridian; thence South 39° 34' East and crossing the center line of said road at Engineer Station "F" 1243+05.6 to a point on the easterly boundary of said road.

The above crossing shall be identified as Crossing

*175m*  
No. CFA-531.5-4.

CROSSING NO. 5, ROAD CROSSINGS SHOWN ON SHEET 3 OF MAP NO. 21381, COUNTY ROAD CROSSING AT "F" 1284+18.25.

Commencing at a point on the westerly boundary line of the County Road running northerly along the line between Sections 26 and 27, Township 48 North, Range 4 East, Mt. Diablo Base and Meridian; thence South 39° 34' East, and crossing the center line of said road at Engineer Station "F" 1284+18.25 to a point on the easterly boundary line of said road.

The above crossing shall be identified as Crossing

*175m*  
No. CFA-530.7-4.

CROSSING NO. 6, COUNTY ROAD CROSSING AT "F" 1408+33.0.

Commencing at a point on the westerly boundary line of the County Road running northerly and along the easterly side of Section 1, Township 47 North, Range 4 East, Mt. Diablo Base and Meridian; thence South 39° 34' East and crossing the center line of said road at Engineer Station "F" 1408+33.0 to a point on the easterly boundary line of said road.

The above crossing shall be identified as Crossing

*175m*  
No. CFA-528.3-4.

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 applicants.

(2) Said crossings 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 those portions of said roads now graded, with the tops of rails flush with the roadways, and with grades of approach not exceeding those grades of approach specifically shown for each of said crossings on the map No. 21381, Sheets Nos. 1, 2 and 3, attached to the application; shall be protected by Standard No. 1 crossing signs, except that Crossing No. 1 as described above shall also be protected by a Standard No. 3 wigwag, 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 crossings.

(4) 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.

(5) 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 23d day of January 1929.

*[Handwritten signature]*

*Thomas D. Lott*

*Al Stearns*

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*M. J. Cur*

Commissioners.