

Decision No. 2075R.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of:  
 The People of the State of California,  
 Acting by and through the Department  
 of Public Works, Division of Highways,  
 for an order authorizing the construc-  
 tion of crossing at grade of State  
 Highway over stub line of the North-  
 western Pacific Railroad, near San  
 Rafael and San Quentin, Marin County,  
 California.

ORIGINAL

Application No. 15261.

BY THE COMMISSION:

ORDER

The People of the State of California, acting by and through the Department of Public Works, Division of Highways, filed the above entitled application with this Commission on the 11th day of December, 1928, asking for authority to construct a State Highway, designated as Road IV-Marin-69-A, at grade across the track of Northwestern Pacific Railroad Company, near San Rafael and San Quentin, Marin County, California, as hereinafter set forth. Said Northwestern Pacific Railroad 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 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 People of the State of California, acting by and through the Department of Public Works, Division of Highways, to reconstruct State Highway designated as Road IV-Marin-69-A, at grade across the track of Northwestern Pacific Railroad Company at the location as shown by the maps (Exhibits "A" and "B") attached to the application.

The above crossing is identified as Crossing No. 55-17.5.

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

(1) The expense of reconstructing the approaches to said crossing and the entire expense of paving said crossing shall be borne by applicant. The expense of reconstructing the crossing, exclusive of paving, between lines two (2) feet outside of the rails shall be borne by Northwestern Pacific Railroad Company. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the rails shall be borne by applicant. The cost of maintenance of that portion of said crossing between lines two (2) feet outside of the rails shall be borne by Northwestern Pacific Railroad Company.

(2) The crossing shall be constructed of a width not less than forty-eight (48) feet and at an angle to the railroad as shown on the maps (Exhibits "A" and "B") attached to the application, and with grades of approach not greater than three (3) 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 8<sup>th</sup> day of February, 1929.

Paul J. Louth  
A. S. ...  
Ernest ...  
Leon ...  
M. J. ...  
Commissioners.