

Decision No. 20754.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

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 widening of two
grade crossings on spurs of the North-
western Pacific Railroad, San Rafael,
Marin County.

Application No. 15262.

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 widen a State Highway, designated as Road IV-Marin-1-C, at grade across the two spur tracks of Northwestern Pacific Railroad Company, in the vicinity of the said City of San Rafael as hereinafter set forth. Said Northwestern Pacific Railroad Company has signified by letter that it has no objection to the widening of said crossings 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 grade separations or to avoid grade crossings with said tracks at the points 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 widen State Highway designated as Road IV-Marín-1-C at grade across two spur tracks known as the Evans Spur and the Cheda Spur, of Northwestern Pacific Railroad Company at the locations as shown by the maps (Exhibits "A" and "B") attached to the application.

The crossing of Evans Spur is identified as Crossing No. 5-16.6C and the crossing of Cheda Spur is identified as Crossing No. 5-16.65C.

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

(1) The expense of reconstructing the approaches to said crossings and the entire expense of paving said crossings 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 those portions of said crossings outside of lines two (2) feet outside of the rails shall be borne by applicant. The maintenance of those portions of said crossings between lines two (2) feet outside of the rails shall be borne by Northwestern Pacific Railroad Company.

(2) The crossings shall be constructed of a width not less than forty (40) 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 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) 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 22nd day of February 1929.

Thomas D. Loutch
Commissioner
Leon White
Commissioners.