

Decision No. 20829.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of JOINT HIGHWAY DISTRICT No. 8 composed of the counties of Marin and Solano, State of California, for authority and permission to construct and maintain a public highway and road as a part of the highway of applicant across the track at grade of San Francisco, Napa & Calistoga Railway, a corporation, at a point near the City of Vallejo, County of Solano.

**ORIGINAL**

Application No. 15417.

BY THE COMMISSION:

ORDER

The Joint Highway District No. 8 of the Counties of Marin and Solano, State of California, filed the above entitled application with this Commission on the 19th day of February, 1929, asking for authority to construct a public road known as Joint Highway District No. 8 Road at grade across the track of San Francisco, Napa & Calistoga Railway, in the vicinity of the said City of Vallejo as hereinafter set forth. Said San Francisco, Napa & Calistoga Railway and applicant have entered into an agreement for 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 Joint Highway District No. 8 of the Counties of Marin and Solano, State of California, to construct a public road at grade across the track of San Francisco, Napa & Calistoga Railway at the approximate location shown by the map (Proposed Grade Crossing of Joint Highway District No. 8 over tracks of San Francisco, Napa & Calistoga R. R. Co., near City of Vallejo, California, Robt. B. McPherson, Engineer, March 2, 1928) attached to the application.

The above crossing shall be identified as Crossing No. 70-3.4.

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 San Francisco, Napa & Calistoga Railway. 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 San Francisco, Napa & Calistoga Railway.

(2) The crossing shall be constructed with a width of

roadway of not less than twenty-eight (28) feet and at an angle to the railroad as shown by map attached to 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) A Standard No. 3 Wigwag as specified in General Order No. 75 of this Commission shall be installed and maintained for the protection of said crossing No. 70-3.4. Said wigwag to be placed on the west side of track and east side of the highway. The cost of installation shall be borne by applicant. The cost of maintenance shall be borne by the San Francisco, Napa & Calistoga Railway Company.

(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 2<sup>nd</sup>  
day of March, 1929.

Paul D. Lott

C. Seaman

Leon Whittell

M. J. Lane

Commissioners.