

Decision No. 21079

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of the COUNTY OF LASSEN for permis-  
sion to construct a crossing of a  
public highway over and across the  
right-of-way and track of The West-  
ern Pacific Railroad Company, at a  
point S. 35° 45' E., 2740 feet from  
the section corner common to Sections  
7, 8, 17 and 18, in Township 25 N.,  
Range 17 E., M.D.B. & M.

Application No. 15477.

BY THE COMMISSION:

O R D E R

ORIGINAL

The Board of Supervisors of the County of Lassen, State of California, filed the above entitled application with this Commission on the 13th day of March, 1929, asking for authority to construct a public road at grade across the track of The Western Pacific Railroad Company, in the vicinity of the Town of Doyle, as hereinafter set forth. Said Western 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 Board of Supervisors of the County of Lassen, State of California, to construct a public road at grade across the track of The Western Pacific Railroad Company at the location hereinafter particularly described and as shown by the map (Exhibit "A") attached to the application.

Description of Crossing

The center point of said crossing is a point South 35° 45' East, 2740 feet from the section corner common to Sections 7, 8, 17 and 18, Township 25 North, Range 17 East, M. D. B. & M.

The above crossing shall be identified as Crossing No. 4-362.4.

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 The Western Pacific Railroad 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 four (4) 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) The existing public crossing at grade, designated

as Crossing No. 4-362.6, and located approximately two-tenths of a mile north of the crossing at grade herein authorized shall be legally abandoned and effectively closed to public use and travel upon the opening of the crossing herein authorized.

(4) The existing private crossing located approximately two hundred feet north of the crossing herein authorized shall be abandoned and effectively closed upon the opening of the crossing herein authorized.

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

(6) 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.

(7) 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 10<sup>th</sup> day of May, 1929.

Paul L. Smith  
C. J. Seaver  
Ernest C. ...  
Leon Whiteley

Commissioners.