

Decision No. 21105.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construction
at grade of a spur track across a
county road in the vicinity of
Mt. Hebron, in the County of
Siskiyou, State of California.

Application No. 15565.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 25th day of April, 1929, asking for authority to construct a spur track at grade across a county road in the vicinity of Mt. Hebron, County of Siskiyou, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Supervisors of said County for the construction of said crossing at grade. 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 at the point mentioned in this application with said county road 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 Southern Pacific Company to construct

a spur track at grade across a county road in the vicinity of Mt. Hebron, County of Siskiyou, State of California, at the location hereinafter particularly described and as shown by the map (Shasta Division Drawing 4915, Sheet No. 2) attached to the application.

DESCRIPTION OF CROSSING

Commencing at a point on the westerly right of way line of the Central Pacific Railway Company's Right of Way, said point being S. $71^{\circ} 37' 40''$ W. a distance of 1201.16 feet from the corner common to Sections 32 and 33, T. 46 N.R. 1 W. M.D.B. & M.; said section corner being also on township line, which is north line of section 5, T. 45 N.R. 1 W. M.D.B. & M.; said point being also 50 feet opposite and at right angles to Engineer Station 1473+53.58 and through which point tangent to said center line of track bears N. $24^{\circ} 48'$ W.; thence along the arc of a curve, concave to the left, with a radius of 573.14 feet in the northerly direction an arc distance of 125.66 feet to a point on the westerly line of the county road and through which point a tangent bears N. $37^{\circ} 22'$ W.

The above crossing shall be identified as Crossing No. CF-393.5-C.

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

(1) The entire expense of constructing the crossing together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing 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 without superelevation and of a width to conform to that portion of said road now graded, with

the tops of rails flush with the roadway, and with grades of approach not exceeding six (6) per cent; 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 thereover of vehicles and other road traffic.

(3) No train, engine, motor or car shall be operated over said crossing unless traffic on the highway is protected by a member of the train crew or other competent employee acting as flagman.

(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 16th day of May, 1929.

John S. Lott
C. Seaver

John C. Whittell
M. L. ...

Commissioners.