

Decision No. 21324.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of
NORTHWESTERN PACIFIC RAILROAD
COMPANY for an order authorizing
the construction at grade of a
side track across Market Street
in the unincorporated Town of
Loleta, County of Humboldt, State
of California.

ORIGINAL

Application No. 15753.

BY THE COMMISSION:

O R D E R

Northwestern Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 26th day of June, 1929, asking for authority to construct a side track at grade across Market Street in the Town of Loleta, County of Humboldt, State of California, as hereinafter set forth. 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 Market Street 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 Northwestern Pacific Railroad Company to construct a side track at grade across Market Street in the Town of Loleta, County of Humboldt, State of California, at the location hereinafter particularly described and as shown by the map

(C.E. 197-F-5) attached to the application.

Description of Crossing

BEGINNING at a point on the northerly line of Market Street at the Station of Loleta, County of Humboldt, State of California, said Market Street being designated by the Railroad Commission of the State of California as Crossing No. 5-271.0, said point being 44 feet easterly, along said northerly line of Market Street, from the constructed center line of the Northwestern Pacific Railroad Company's main line track, thence southerly on a curve to the right having a radius of 819.02 feet, 63 feet, more or less to a point on the southerly line of said Market Street, said point being 53.5 feet distant, measured along the said southerly line of Market Street, from the said center line of railroad, and being a crossing at grade of said Market Street.

The above crossing shall be identified as Crossing No. 5-271.0.

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. 3, 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 street now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding four (4) 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) Applicant shall within sixty (60) days from the date of this order file with this Commission franchise or permit from the Board of Supervisors of Humboldt County for the construction of said crossing at grade, and in the event that this is not done, the

authorization herein granted for the installation of said crossing shall lapse and shall thereupon become null and void and of no further force and effect.

(4) Applicant shall remove the track shown in yellow on map (C.E. 197-F-5) attached to the application.

(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 1st day of July, 1929.

Thos D. Lott
Ch. L. Lewis
Wm. J. ...
W. J. ...
Commissioners.