

Decision No. 21525.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of
 NEVADA-CALIFORNIA-OREGON RAILWAY
 for an order authorizing the con-
 struction at grade of a new main
 track across the Likely-Alturas
 Highway and a side track across
 Jess Valley Road, all in the County
 of Modoc, State of California.

Application No. 15897.

BY THE COMMISSION:

O R D E R

Nevada-California-Oregon Railway, a corporation,
 filed the above entitled application with this Commission on
 the 26th day of August, 1929, asking for authority to construct
 a new main track across the Likely-Alturas Highway and a side
 track at grade across Jess Valley Road in the vicinity of Like-
 ly, County of Modoc, State of California, as hereinafter set
 forth. The necessary franchise or permit (Ordinance No. 88) has
 been granted by the Board of Supervisors of said County for the
 construction of said crossings at grade. It appears to this Com-
 mission that the present proceeding is not one in which a pub-
 lic hearing is necessary; that it is neither reasonable nor prac-
 ticable at this time to provide grade separations or to avoid
 grade crossings at the points mentioned in this application with
 said Likely-Alturas Highway and Jess Valley Road and that this
 application should be granted subject to the conditions herein-
 after specified, therefore

IT IS HEREBY ORDERED that permission and authority be

and it is hereby granted to Nevada-California-Oregon Railway to construct a main line track at grade across Likely-Alturas Highway and a side track at grade across Jess Valley Road in the vicinity of Likely, County of Modoc, State of California, at the locations hereinafter particularly described and as shown by the map (M.W.D. Drawing 6924, Sheets Nos. 1 and 2 of 2) attached to the application.

DESCRIPTION OF CROSSINGS

PROPOSED TRACK CROSSING OF LIKELY-ALTURAS HIGHWAY:

Beginning at a point in the southeasterly line of the Likely-Alturas Highway distant 14.00 feet measured at right angles from the center line of the main line of the Nevada-California-Oregon Railway, between Alturas and Wendel; thence northwesterly and parallel with said center line a distance of 220 feet, more or less, to a point in the northwesterly line of said highway.

The above crossing shall be identified as a portion of Crossing No. 30-81.8.

PROPOSED TRACK CROSSING OF JESS VALLEY ROAD:

Beginning at a point in the southerly line of Jess Valley Road distant 14.00 feet easterly measured at right angles from the center line of the main line of the Nevada-California-Oregon Railway, between Alturas and Wendel; thence northerly and parallel with said center line a distance of 40 feet to a point in the northerly line of said Jess Valley Road.

The above crossing shall be identified as a portion of Crossing No. 30-81.2.

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

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

(2) Said crossings 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 of a width to conform to those portions of said streets now graded, with the tops of rails at same elevation as the existing adjacent rails and flush with the roadways, and with grades of approach not exceeding four (4) per cent; each crossing shall be protected by two 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 thereover 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 11th day of September, 1929.

O. C. Keating

Leon White

M. J. Carr

 Commissioners.