

Decision No. 1581.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the Application of the People of the State of California, on relation of the Department of Public Works, Division of Highways, for an order authorizing the construction of a State Highway overgrade crossing over the tracks of the Northwestern Pacific Railroad Company at California Park, one mile south of San Rafael, Marin County, known as California Park Overgrade Crossing.

Application No. 15909.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, Division of Highways, filed the above entitled application with this Commission on the 28th day of August, 1929, asking for authority to construct a State Highway known as Road IV-Mrn-1-C at separated grades over the main line tracks and San Quentin Branch tracks of Northwestern Pacific Railroad Company, at California Park, one mile south of the City of San Rafael, Marin County, as hereinafter set forth.

Said Northwestern Pacific Railroad Company has signified by letter that it has no objection to the construction of said overgrade crossings and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary 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 People of the State of California,

on relation of the Department of Public Works, Division of Highways, to construct a State Highway, designated as Road IV-Mrn-1-C, overhead across the main line tracks and San Quentin Branch tracks of Northwestern Pacific Railroad Company one mile south of the City of San Rafael, County of Marin, and at the location more particularly shown by the map (Exhibit "A") attached to the application.

The crossing over the main line tracks shall be identified as Crossing No. 5-15.7-A, and the crossing over San Quentin Branch shall be identified as Crossing No. 5S-16.2-A.

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

(1) Said overhead crossings shall be constructed with clearances in accordance with the provisions of this Commission's General Orders No. 26-C and No. 64-A.

(2) The cost of construction and maintenance of said overhead crossings shall be borne in accordance with an agreement or agreements to be hereinafter entered into by the interested parties; fully executed copy or copies of said agreement or agreements shall be filed with this Commission for its approval within sixty (60) days from the date hereof. In the event an agreement cannot be reached by the interested parties, this Commission will apportion costs of construction and maintenance by subsequent order.

(3) Applicant shall, before commencement of construction, file with this Commission a complete set of detailed plans of the proposed grade separations, said detailed plans to be approved by the Northwestern Pacific Railroad Company.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of

the installation of said overgrade crossings.

(5) If said overgrade 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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 19th day of September 1929.

John S. Hottel

Edward G. ...
Leon Whitwell

M. M. ...

Commissioners.