

ORIGINAL

Decision No. 21759

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of	)	
Southern Pacific Company for an	)	
order authorizing the construc-	)	
tion at grade of a spur track	)	Application No.16019
across Eighth Street, in the City	)	
of Napa, County of Napa, State of	)	
California.	)	

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 17th day of October, 1929, asking for authority to construct a spur track at grade across Eighth Street in the City of Napa, County of Napa, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No.661) has been granted by the City Council of said City 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 Eighth 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 Southern Pacific Company to construct a spur track at grade across Eighth Street in the City of Napa, County of Napa, State of California, at the location hereinafter particularly described and as shown by the map (Western Division Drawing N-206 Sheet 1 Rev) attached to the application.

DESCRIPTION OF CROSSING

Beginning at the intersection of the westerly right-of-way line of the Southern Pacific Railroad Company with the northerly line of Eighth Street; thence easterly along the last mentioned line a distance of 5.5 feet more or less to a point in the center line of the proposed spur track, said point being the true point of beginning of this description; thence southerly on the arc of a curve concave easterly, having a radius of 2864.84 feet, a distance of 60 feet more or less, to the intersection thereof with the southerly line of Eighth Street.

The above crossing shall be identified as a portion of Crossing No. AB-45.2.

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 of a width to conform to that portion of said street now graded, with the tops of rails at same elevation as main line rails and flush with the roadway, and with grades of approach not exceeding five (5) 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 thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) 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.

(5) 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 6<sup>th</sup> day of November, 1939.

Thos. J. Lott

A. Seaver  
Emmett

W. J. Lee  
Commissioners.