

Decision No. 21809.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of Application of
Southern Pacific Company for
permission to construct an under-
grade public road crossing under
proposed Southern Pacific tracks,
and abandon two existing public
road crossings at grade across the
existing tracks of said company at
Upton Station, County of Siskiyou,
State of California.

Application No. 16084.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 14th day of November, 1929, asking for authority to construct a main line track and a passing track at separated grades across a proposed county road in the vicinity of Upton, County of Siskiyou, State of California, thereby eliminating two crossings at grade with applicant's tracks. The Board of Supervisors of said County has granted permission for the relocation of the county roads involved and Southern Pacific Company has agreed to bear the entire expense of constructing the undergrade crossing. 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 Southern Pacific Company to construct

a main line track and a passing track at separated grades across a proposed county road in the vicinity of Upton, County of Siskiyou, State of California, at the location hereinafter particularly described and as shown by the map (Shasta Division Drawing 6743) attached to the application.

DESCRIPTION OF CROSSING

Commencing at a point 100 feet opposite and at right angles to Engineer Station "D" 8302+00 of proposed track to be constructed, from which point the 1/4 section corner common to Sections 31 and 6, Township 40 North, Range 4 West, MDM, bears North 8°23' West, a distance of 2702 feet; thence South 7°34' West a distance of 200.00 feet to a point on new right of way line of proposed track to be constructed. Situate in the County of Siskiyou, State of California.

The above crossing shall be identified as Crossing No. C-339.5-B.

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 maintenance, other than maintenance of the roadway, 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 with clearances conforming to provisions of General Order No. 26-C of this Commission.

(3) Applicant shall, before commencement of construction, file with this Commission a set of plans of said grade separation structure.

(4) The two public grade crossings with applicant's tracks identified as Crossing C-339.2 and Crossing C-339.9, and the approaches thereto insofar as they lie across property of applicant, shall be legally abandoned as public thoroughfares

and effectively closed to public use and travel.

(5) Applicant shall, within thirty (3) 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 20th day of November, 1929.

Thomas D. Lott

C. S. Lewis

Frederick

Commissioners.