

Decision No. 21820

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of the)
 COUNTY OF LASSEN for permission to con-)
 struct a crossing of a public highway)
 under the railroad of the Fernley Lassen)
 Branch of the Southern Pacific Railroad)
 Company, at a point N. $53^{\circ} 42\frac{1}{2}'$ E.,)
 1824.2 feet from corner common to sec-)
 tions 5, 6, 7, and 8 of Township 28 N.,)
 Range 9 E., M. D. M.)

Application No. 15438.

ORIGINAL

BY THE COMMISSION:

ORDER

The Board of Supervisors of the County of Lassen, State of California, filed the above entitled application with this Commission on the 26th day of February, 1929, asking for authority to construct a public road at separated grades under the track of Fernley-Lassen Branch of Southern Pacific Company near Westwood, Lassen County. Applicant on October 3rd, 1929, filed its supplemental application in the above entitled proceeding asking this Commission's order approving the construction of said grade separation with an overhead clearance of eleven (11) feet.

Southern Pacific Company has signified by letter that it has no objection to the construction of said undergrade crossing, 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 the same is hereby granted to the Board of Supervisors of the County of Lassen to construct a public road at separated grades

under the track of Fernley-Lassen Branch of Southern Pacific Company in the vicinity of Westwood, County of Lassen, at a location as shown on the map attached to the application.

The above crossing shall be identified as Crossing No. AX-410.6-B.

Said undergrade crossing shall be constructed subject to the following conditions:

(1) Said crossing shall be constructed substantially in accordance with the map attached to the application.

(2) The cost of construction of said undergrade crossing shall be borne by the applicant. The maintenance of that portion of said crossing supporting the track shall be borne by Southern Pacific Company and the cost of maintaining the roadway shall be borne by the applicant.

(3) Said crossing shall have an overhead clearance above the surface of the roadway of not less than eleven (11) feet and in all other respects shall conform to General Order No. 26-C of this Commission.

(4) Applicant shall, at its sole expense, install and maintain impaired clearance signs on each side of the underpass, which shall be illuminated at night.

(5) Applicant shall, at its sole expense, paint, in a distinctive color, the fence on each side of said undergrade crossing and the pile bent separating the two roadways and thereafter maintain said painting.

(6) The existing public crossing of the county road located approximately six hundred (600) feet south of said

undergrade crossing shall forthwith be legally abandoned and effectively closed to public use and travel.

The Commission reserves the right to make such further orders, relative to the location, construction, operation, maintenance and protection of said undergrade 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 26th day of November, 1929.

Thos D. Lott

C. J. Scam

Edward D.

Leon Whitell

W. J. Carr

Commissioners.