

ORIGINAL

Decision No. 21958.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the construction at grade of a main track across County Road known as Madeline-Alturas Highway, in the vicinity of Madeline, County of Lassen, State of California.

Application No. 16162.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 12th day of December, 1929, asking for authority to construct a main line track at grade across County Road known as Madeline-Alturas Road, County of Lassen, State of California, as hereinafter set forth. Under the provisions of Paragraph 5, Section 465, of the California Civil Code, no franchise from the County is necessary. 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 County Road 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 at grade across a county road known as

Madeline-Alturas Road, County of Lassen, State of California, at the location hereinafter particularly described and as shown by the map (M.W.D. Drawing No. J.D.M.-32) attached to the application.

Description of Crossing

BEGINNING at the point of intersection of westerly line of County Road known as Madeline-Alturas Highway with a main track of the Nevada-California-Oregon Railway between Madeline - Alturas; thence along said main track a distance of 24 feet to its intersection with easterly line of said Madeline-Alturas Highway, being in NW-1/4 of Sec. 3, T. 37 N., R. 13 E., MDB&M and lying between Engineer's Stations 99+29 and 99+53.

The above crossing shall be identified as Crossing No. 30-62.5.

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 substantially in accordance with 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 road now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding six (6) 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 remove the track shown in yellow on the map (M.W.D. Drawing No. J.D.M.-32) attached to the application

and shall repair said county road to conform to the remainder thereof.

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

(5) 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.

(6) 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 27th day of December, 1929.

John D. Lott

CC Seaver

W. J. Linn

Commissioners.