

Decision No. 22318.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

<p>In the Matter of the Application of the County of Ventura for order authorizing the construction and maintenance of an undergrade crossing under the tracks and right-of-way of the Southern Pacific Company near Moorpark in said County.</p>	}
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ORIGINAL

Application No. 16,273.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Ventura, State of California, filed the above entitled application with this Commission on the 31st day of January, 1930, asking for authority to construct a public road at separated grades under the track of Southern Pacific Company, in the vicinity of the Town of Moorpark as hereinafter set forth.

Said applicant requests that roadway be carried through an existing concrete arch culvert under the railroad, having clearances less than those prescribed in this Commission's General Order No. 26-C. The proposed grade separation leads to a county picnic ground called "Oak Park" only and it is the purpose of applicant to construct in the future, a grade separation with standard clearances, if traffic develops to justify.

Said 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 it is hereby granted to the Board of Supervisors of the County of Ventura, State of California, to construct a public road at separated grades under track of Southern Pacific Company at the location as shown by the map and profile attached to the application.

DESCRIPTION OF CROSSING.

"A portion of that certain parcel of land in the Rancho Simi as described in the deed of Robert P. Strathearn to the Southern Pacific Railroad Company, dated December 21, 1899, and recorded in the office of the County Recorder of Ventura County in Book 62 of Deeds at page 192, said real property described as follows:

Beginning at a point in the center line of said parcel of land one hundred (100) feet wide of the Southern Pacific Railroad Company at Engineer's Station 821+80 and running thence,

- 1st: North at right angles to said center line fifty (50) feet; thence at right angles,
- 2nd: West one hundred (100) feet to a point; thence at right angles,
- 3rd: South one hundred (100) feet to a point; thence at right angles,
- 4th: East one hundred feet to a point; thence at right angles,
- 5th: North fifty (50) feet to the point of beginning.

That the above mentioned eight foot arched culvert is included within the above described property."

The above crossing shall be identified as Crossing No. E-430.8-B.

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

(1) The entire cost of constructing said crossing shall be borne by applicant. The maintenance of the approaches and the pavement within the culvert shall be maintained by the applicant. The maintenance of the culvert shall be maintained by the Southern Pacific Company.

(2) Said undergrade crossing shall be constructed substantially in accordance with plans attached to the application.

(3) Said undergrade crossing shall be constructed with a horizontal clearance of not less than eight (8) feet and a vertical clearance at the center of not less than nine (9) feet.

(4) For the protection of vehicular traffic, applicant shall erect tell-tales and suitable signs on each side of said undergrade crossing, notifying the travelling public of the impaired clearance, also restricting the speed of vehicles to eight (8) miles per hour. Curbs shall be constructed on each side of said undergrade crossing in accordance with the plan filed with the application.

(5) The existing crossing at grade, located approximately five hundred (500) feet south of said undergrade separation, and designated as Crossing No. E-430.9, shall, at all times, be protected by locked farm gates and the applicant shall appoint a custodian to the key of said gates.

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

(7) If said undergrade 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.

(8) 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 12th day of April, 1930.

C. L. Sawyer

Wm. S. Lott

M. P. Case
Commissioners.