

Decision No. 22319.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of County of Inyo, State of California, on relation of the Board of Supervisors of said County for an order authorizing the abandonment of two road crossings, and the establishment of a road crossing at grade over the tracks of the Death Valley Railroad Company, in the vicinity of Death Valley Junction, Inyo County, California.

ORIGINAL

Application No. 16349.

BY THE COMMISSION:

ORDER

The Board of Supervisors of the County of Inyo, State of California, filed the above entitled application with this Commission on the 7th day of March, 1930, asking for authority to construct a public road at grade across the track of Death Valley Railroad, in the vicinity of Death Valley Junction as hereinafter set forth. Said Death Valley Railroad Company has signified by letter that it has no objection to the construction of said crossing at grade, and 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 with said track at the point mentioned in this application, 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 Inyo, State of California, to construct a public road at grade across the tracks of Death Valley Railroad Company in the southwest quarter of the southwest quarter of Section 14, Township 25 North, Range 5 East, San Bernardino Base and Meridian, and as shown by the map Exhibit "A," attached to the application.

The above crossing shall be identified as Crossing No. 20-0.3.

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

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Death Valley Railroad Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet with grades of approach not greater than one (1) per cent; shall be constructed substantially in accordance with Standard No. 2 as specified in General Order No. 72 of this Commission; 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 thereon of vehicles and other road traffic.

(3) The existing public crossings No. 43-122.0-C and No. 43-122.2-C located on the wye tracks approximately one-quarter mile easterly from the crossing herein authorized shall be legally

abandoned and effectively closed to public use and travel.

(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 12<sup>th</sup> day of April, 1930.

C. L. Seaver

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Thomas B. Lovitt

M. J. Linn

Commissioners.