

Decision No. 22454.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of The Western Pacific Railroad
Company for permission to construct,
maintain and operate a spur track
at grade across Third Street in the
City of Oroville, County of Butte,
State of California.

ORIGINAL

Application No. 16513.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 6th day of May, 1930, asking for authority to construct a spur track at grade across Third Street in the City of Oroville, County of Butte, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the City Council of said City for the construction of said crossing at grade. 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 Third Street 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 Western Pacific Railroad Company

to construct a spur track at grade across Third Street in the City of Oroville, County of Butte, State of California, at the locations hereinafter particularly described and as shown by the map (Exhibit "A") attached to the application.

DESCRIPTION OF CROSSING

BEGINNING at point of connection with existing spur track of the applicant, said point being the point of intersection of the center line of said spur track with the southerly line of Third Street, and distant 15 feet, measured at a right angle westerly from the center line of the main line track of the applicant; thence in a northerly direction, 15 feet westerly from and parallel with the center line of said main track, a distance of approximately 350 feet to end of spur, crossing the northerly line of said Third Street at a point distant 15 feet, measured at a right angle westerly from said center line of main track.

The above crossing shall be identified as a portion of Crossing No. 4-204.5.

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 equal or superior to type shown as Standard No. 2, in General No. 72 of this Commission, and shall be constructed of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding seven (7) 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, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of

the installation of said crossing.

(4) 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.

(5) 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 May, 1930.

Al Henry
Frank A. ...

Thos. J. ...

Commissioners.