

Decision No. 22692.

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the Application of  
 The People of the State of California,  
 on relation of the Department of Public  
 Works, Division of Highways, for an  
 order authorizing the construction of  
 a State highway overhead crossing over  
 the tracks of the Southern Pacific  
 Railroad two miles west of Crystal  
 Lake, Nevada County, known as Yuba Pass.

Application No. 16517.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, Division of Highways, filed the above entitled application with this Commission on the 7th day of May, 1930, asking for authority to construct a highway above the tracks of Southern Pacific Company two miles west of Crystal Lake, Nevada County. Southern Pacific Company has signified by letter that it has no objection to the construction of said over-grade crossing providing the existing grade crossing is abandoned and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary and that it is in the interest of public convenience and necessity that the subway be constructed and that this application should be granted subject to the conditions hereinafter specified, therefore,

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, Division of Highways, be and they are hereby authorized to construct an

overgrade crossing over the tracks of Southern Pacific Company in the vicinity of Crystal Lake, County of Nevada, State of California, substantially in accordance with the plan attached to the application and at the location shown on said plan.

The above crossing shall be identified as Crossing No. A-176.2-A.

Said crossing to be constructed subject to the following conditions:

(1) Said overgrade crossing shall be constructed with clearances conforming to provisions of this Commission's General Order No. 26-C.

(2) The cost of said overgrade crossing shall be borne in accordance with the terms of an agreement hereinafter to be entered into between the interested parties, a copy of which shall be filed with the Commission within ninety (90) days of the date of this order. Said agreement shall be subject to the approval of this Commission.

(3) Applicant shall, before commencement of construction, file with this Commission detailed plans of the proposed grade separation.

(4) The existing crossing of said highway at Crystal Lake shall be legally abandoned and effectively closed to public use and travel upon the completion of the crossing herein authorized.

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

(6) 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.

(7) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said overgrade 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 1<sup>st</sup> day of July, 1930.

C. L. Lewis  
Commissioner

W. H. Lewis  
Commissioner

Commissioners.