

Decision No. 22696.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of the BOARD OF SUPERVISORS, of Sacramento County, Howard K. Johnson, Chairman of said Board of Supervisors, for an Order authorizing the opening of a grade crossing over the Southern Pacific Railroad, (Garden City Industrial Track, one-half (1/2) mile North of the Sacramento City Limits.

ORIGINAL

Application No. 16601.

BY THE COMMISSION:

ORDER

The Board of Supervisors of the County of Sacramento, State of California, filed the above entitled application with this Commission on the 5th day of June, 1930, asking for authority to construct a public road at grade across the spur track of Southern Pacific Company, in the vicinity of the City of Sacramento as hereinafter set forth. Said Southern Pacific 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 Sacramento, State of California, to construct a county road

at grade across the track of Southern Pacific Company, known as the Garden City Industrial track, at the location hereinafter particularly described and as shown by the map attached to the application.

DESCRIPTION OF CROSSING

Parcel 60 feet wide across 30 foot easement.
A parcel or piece of land lying along the North line of property now owned by said Charles Miles near the Sacramento City Filtration Plant, and more particularly described as follows: Beginning at a point on the North line of said Miles property which bears N. 65° 13-1/2' W. 2833.72 feet from the intersection of the North line of North "B" Street and the center line of 5th Street in the City of Sacramento; and running thence from the said point of beginning S. 89° 40-1/2' E., a distance of 60.35 feet, along the said North line of Charles Miles property to a point; thence S. 5° 51' E., 30.175 feet, to a point on the South line of a 30.0 foot easement for railroad purposes; thence N. 89° 40-1/2' W., along the South line of said railroad easement, a distance of 60.35 feet, to a point; thence N. 5° 51' W., a distance of 30.175 feet to the point of beginning.

The above crossing shall be identified as Crossing No. A-91.0-6.

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 Southern Pacific Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of approximately

eighty-four (84) degrees to the railroad and with grades of approach not greater than six (6) 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) No train, engine, motor or car shall be operated over said crossing unless said train, engine, motor or car shall be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee of Southern Pacific Company acting as flagman.

(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 22nd day of July, 1930.

W. H. ...

Commissioners.