

Decision No. 22714.

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 amended order authorizing the construction of a State highway overgrade crossing over the tracks of the Northwestern Pacific Railroad one mile north of Beatrice, Humboldt County, known as Beatrice overgrade crossing.

Application No. 15906.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

The State of California on relation of the Department of Public Works, Division of Highways, filed with this Commission a supplemental application in the above entitled proceeding asking that the overgrade crossing over the track of Northwestern Pacific Railroad Company, in the vicinity of Beatrice, Humboldt County, authorized in Decision No. 21580, dated September 19, 1929, be relocated to a point as shown on the map attached to the supplemental application.

Said Northwestern Pacific Railroad Company has signified by letter that it has no objection to the granting of said supplemental application and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary and that this supplemental application should be granted, subject to the conditions hereinafter specified, therefore,

IT IS HEREBY ORDERED that Decision No. 21580, dated September 19, 1929, be and it is hereby revoked.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted to the People of the State of California on relation of the Department of Public Works, Division of Highways, to construct State Highway known as Road I-Hum-1-G overhead across the track of Northwestern Pacific Railroad Company at a location as shown by the map (Exhibit "A") attached to the supplemental application in the above entitled proceeding.

The above crossing shall be identified as Crossing No. 5-275.9-A.

Said overhead crossing shall be constructed subject to the following conditions:

(1) Said overhead crossing shall be constructed with clearances in accordance with the provisions of this Commission's General Orders No. 26-C and No. 64-A.

(2) The cost of construction and maintenance of said overgrade crossing shall be borne in accordance with an agreement or agreements to be hereinafter entered into by the interested parties; fully executed copy or copies of said agreement shall be filed with this Commission for its approval within sixty (60) days from the date hereof. In the event an agreement can not be reached by the interested parties, this Commission will apportion costs of construction and maintenance by subsequent order.

(3) Applicant shall file with this Commission a complete set of detailed plans of the proposed grade separation, said detailed plans to be approved by the Northwestern Pacific Railroad Company.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of

the installation of said overgrade crossing.

(5) If said overgrade 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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 25th day of July, 1930.

C. S. Brown  
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Commissioners.