

Decision No. 22822.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application
of THE WESTERN PACIFIC RAILROAD
COMPANY for permission to construct,
maintain and operate an extension
of its existing yard track along
Railroad Avenue in the Town of
Loyalton, County of Sierra, State
of California.

Application No. 16796.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 7th day of August, 1930, asking for authority to construct a side track at grade across First Street and a portion of Railroad Avenue in the City of Loyalton, County of Sierra, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution dated July 23, 1930,) has been granted by the City Council of said City for the construction of said crossings 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 grade crossings at the points mentioned in this application with said First Street and Railroad Avenue 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 side track at grade across First Street and a portion of Railroad Avenue in the City of Loyalton, County of Sierra, State of California, at the location hereinafter particularly described and as shown by the map (Exhibit "A") attached to the application.

DESCRIPTION OF CROSSINGS

Beginning at a point of connection with existing track of the applicant, said point being distant southerly approximately 150 feet from the southerly line of First Street, extended easterly, and approximately 75 feet, measured at a right angle easterly from the westerly line of Railroad Avenue; thence in a direct line northerly, parallel with said line of Railroad Avenue, approximately 850 feet to a point, crossing said First Street approximately 75 feet easterly from the westerly line of Railroad Avenue; thence along a turnout to the left diagonally across a portion of Railroad Avenue a distance of approximately 185 feet to point of connection with existing track in Railroad Avenue, said point of connection being distant at a right angle easterly approximately 60 feet from said westerly line of Railroad Avenue and approximately 80 feet at a right angle northerly from the northerly line of Third Street extended easterly.

The above crossing of First Street shall be identified as a portion of Crossing No. 4E-11.8.

Said crossings to be constructed subject to the following conditions, and not otherwise:

(1) The entire expense of constructing the crossings, together with the cost of their 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 No. 4E-11.8 shall be constructed equal or superior to type shown as Standard No. 2 in General

Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said First Street now graded, with the tops of rails at same elevation as main line rails and flush with the roadway and with grades of approach not exceeding one (1) 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) This order is made upon the express condition that Railroad Avenue is not now actually constructed and open to travel at the point of crossing and this order shall not be deemed an authorization for the construction of an opening of said street to public use across said railroad track.

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

(5) If said crossings 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 crossings 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 29th day of August, 1930.

W. L. Scavoy

Leon Whittell

W. L. Scavoy

Commissioners.