

Decision No. 22825.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of  
SOUTHERN PACIFIC COMPANY for an  
order authorizing the construc-  
tion at grade of a spur track  
across Second Street, in the un-  
incorporated Town of Live Oak,  
County of Sutter, State of  
California.

**ORIGINAL**

Application No. 16861.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 29th day of August, 1930, asking for authority to construct a spur track at grade across Second Street, in the Town of Live Oak, County of Sutter, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Supervisors of said County 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 Second 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 Southern Pacific Company to construct a spur track at grade across Second Street, in the Town of Live Oak, County of Sutter, State of California, at the location described in the application and as shown by the map attached to the application.

The above crossing shall be identified as a portion of Crossing No. C-151.7.

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 Order 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 four (4) per cent; and shall in every way be made suitable for the passage there-  
over of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days there-  
after, 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 29th day of August, 1930.

*O. L. Seaman*

*Leon Old Whitwell*

*David D. ...*

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