

Decision No. 22847.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of Southern Pacific Company for an order authorizing the relocation of a side track at grade across 3rd Street in the City of Napa, County of Napa, State of California.

ORIGINAL

Application No. 16867.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 3rd day of September, 1930, asking for authority to relocate a side track at grade across Third Street in the City of Napa, County of Napa, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 667) has been granted by the City Council of said City for the relocation 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 Third 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

relocate a side track at grade across Third Street in the City of Napa, County of Napa, State of California, at the location hereinafter particularly described and as shown by the map (Western Division Drawing No. N.290-Sheet No. 1) attached to the application.

DESCRIPTION OF CROSSING

BEGINNING at a point in the northern line of Third Street, distant thereon 168.0 feet, more or less, from the east line of Suscol Avenue, thence southeasterly on the arc of a curve concave to the right having a radius of 784.08 feet, an arc distance of 42 feet, more or less, to a point in the existing house track, which point is distant 39.2 feet, measured at right angles, from southern line of Third Street.

The above crossing shall be identified as a portion of Crossing No. AB-45.5.

Said crossing to be reconstructed subject to the following conditions, and not otherwise:

(1) The entire expense of relocating 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. 3, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails at same elevation as Branch line rails and flush with the pavement, and with grades of approach not exceeding four (4) per cent; and shall in every way be made suitable

for the passage thereover of vehicles and other road traffic.

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

(4) If said crossing shall not have been relocated 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 8th day of September, 1930.

Cl. Seavey
Ernest A. [unclear]
Leon [unclear]
Thos. [unclear]

Commissioners.