

Decision No. 23239

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 order authorizing the construction of a State highway overgrade crossing over the tracks of the Northwestern Pacific near Manzanita, Marin County, to be known as the Manzanita Overhead Crossing.

**ORIGINAL**

Application No. 17073.

BY THE COMMISSION:

ORDER

The People of the State of California, on relation of the Department of Public Works, Division of Highways, on December 22, 1930, applied for authority to construct a state highway known as road IV - Mrn. I-C, at separated grades over the tracks of Northwestern Pacific Railroad Company in the vicinity of Manzanita, County of Marin, State of California. Northwestern Pacific Railroad Company, on December 24, 1930, signified in writing, that it has no objection to the construction of said overgrade crossing.

It appearing that a public hearing is not necessary herein, that it is in the interest of public convenience and necessity that the overgrade crossing be constructed and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that the People of the State of California on relation of the Department of Public Works, Division of Highways, is hereby authorized to construct a state highway, known as Road IV- Mrn. I-C at separated grades over the tracks

of Northwestern Pacific Railroad Company in the vicinity of Manzanita, County of Marin, State of California, at the location substantially as shown by the plan (Exhibit "A") attached to the application, subject to the following conditions:

(1) The above crossing shall be identified as Crossing No. 5C-9.3-A.

(2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public shall be borne in accordance with an agreement approved by this Commission, a certified copy of which shall be filed within four (4) months after the date hereof. Should said agreement not be filed within the above time and further time not be granted by subsequent order, said costs will be apportioned by supplemental order herein.

(3) Applicant shall file for approval within ninety (90) days from the date hereof and prior to the commencement of construction, a set of plans for said crossing, which plans shall have been approved by the interested parties.

(4) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.

(5) Applicant shall, within thirty (30) days thereafter, notify this Commission in writing of the completion of the installation of said crossing and of its compliance with the conditions hereof.

(6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date

hereof, 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 30th day of

December  
1930

C. A. Seaver

Leon A. Hill  
Thos. D. Lunt

Commissioners.