

Decision No. 23460.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

Application of the County of Merced for authorization permitting the construction of a highway crossing at grade over the spur tracks of The Atchison, Topeka and Santa Fe Railroad Company and over the tracks of the Yosemite Valley Railroad Company, on the Crocker Colony Road No. 721.

Application No. 17185.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Merced, State of California, on February 6, 1931, applied for authority to construct a public road at grade across the tracks of The Atchison, Topeka and Santa Fe Railway and Yosemite Valley Railroad, in the vicinity of the City of Merced. Said railroad companies have signified, in writing, that they have no objection to the construction of said crossings at grade. It appears that crossings at the locations herein applied for were authorized by the Commission on August 31, 1929, in its Decision No. 21506 in Application No. 15559, but were not constructed within the limit of time specified in said decision. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings with said tracks at the points

mentioned and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the Board of Supervisors of the County of Merced, State of California, is hereby authorized to construct a public road at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company and Yosemite Valley Railroad at the locations shown by the maps attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing with The Atchison, Topeka and Santa Fe Railway Company shall be identified as Crossing No. 2-1057.6-C and that of Yosemite Valley Railroad shall be identified as Crossing No. 46-1.5.
- (2) The entire expense of constructing the crossings shall be borne by applicant. The cost of maintenance of those portions of said crossings up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of those portions of the crossings between lines two (2) feet outside of the outside rails shall be borne by the railroad company affected. The respective railroad companies shall perform all actual work of constructing the crossings between lines two (2) feet outside of the outside rails.
- (3) The crossings shall be constructed of a width of not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than four (4) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; shall be protected by a Standard No. 1 crossing sign, as specified in our General Order No. 75, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings and of its compliance with the conditions hereof.
- (5) 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.

- (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, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 2nd day of March, 1931.

C. Seamy  
Leon Whelan  
M. J. Con  
W. B. Lavin  
Fred G. Stewart  
 Commissioners.