

Decision No. 23653.

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 relocation and
 reconstruction of an underpass through
 a trestle of the Indian Valley Railroad
 Company near Paxton, in Plumas County.

ORIGINAL

Application No. 17285.

BY THE COMMISSION:

ORDER

The People of the State of California, on relation of the Department of Public Works, Division of Highways, on April 4th, 1931, applied for authority to relocate and reconstruct the State Highway known as Road II-Plu-21-B, at separated grades under the main line track of Indian Valley Railroad Company in the vicinity of Paxton, County of Plumas, State of California. Indian Valley Railroad Company, on April 23rd, 1931, signified, in writing, that it has no objection to the relocation and reconstruction of said undergrade crossing. It appearing that the railroad and applicant have entered into an agreement, covering the cost of constructing and maintaining the proposed separation, and that a public hearing is not necessary herein; that it is in the interest of public convenience and necessity that the undergrade crossing be relocated and reconstructed 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 relocate and reconstruct a State Highway, known as Road II-Plu-21-B, at separated grades under

the main line track of Indian Valley Railroad Company in the vicinity of Paxton, County of Plumas, State of California, at the location more particularly 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. 22-0.6-B.
- (2) The entire expense of constructing the crossing in good and first-class condition for safe and convenient use of the public shall be borne by applicant. The cost of maintenance of that portion of said structure below the bottom of ties shall be borne by applicant. The maintenance of that portion of said structure above the bottom of ties shall be borne by Indian Valley Railroad Company.
- (3) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (4) 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.
- (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.

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

Dated at San Francisco, California, this 4th day of May, 1931.

C. A. ...
Leon O. ...
M. H. ...
M. B. ...
Fred G. ...
 Commissioners.