

Decision No. 23927.

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, Divi-
sion of Highways, for an order
authorizing the construction of a
highway crossing at grade over and
across the track of the California
Central Railroad Company, three
miles north of San Juan Bautista,
in San Benito County, California.

ORIGINAL

Application No. 17349.

BY THE COMMISSION:

ORDER

The People of the State of California, on relation of the Department of Public Works, Division of Highways, on May 7, 1931, applied for authority to construct a public highway known as State Highway Route No. 2 at grade across the track of California Central Railroad Company in the vicinity of San Juan Bautista, San Benito County. California Central Railroad Company, on July 28, 1931, signified, in writing, that it will offer no objection to the construction of said crossing at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable, at this time, to provide a grade separation or to avoid a grade

crossing with said track at the point mentioned 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, are hereby authorized to construct a State Highway at grade across the track of California Central Railroad Company at the location more particularly described in the application and as shown by the maps attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as a portion of Crossing No. 15-3-0.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by California Central Railroad Company.
- (3) The crossing shall be constructed of a width of not less than thirty (30) feet and with grades of approach not greater than one (1) per cent; shall be constructed equal or superior to type shown as Standard No. 3 in our General Order No. 72; shall be protected by Standard No. 1 crossing signs, 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) Two Standard No. 3 wigwags, as specified in General Order No. 75 of this Commission, shall be installed at said Crossing No. 15-3.0 and at the adjacent crossing of Route 67 (Crossing No. 15-3.1) at the sole expense of applicant. Installation of said wigwags may be delayed until operation of trains over the track of California Central Railroad Company

is resumed, but applicant shall enter into an agreement with said California Central Railroad Company to pay the cost of such installations if and when made.

- (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.
- (7) 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, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 3d day of August, 1931.

Clarence
Lion Whiskey
W. J. ...
M. B. ...
Fred G. ...
 Commissioners.