

Decision No. 17758.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the application of
CITY OF NAPA (a Municipal Corporation),
for an order of the Railroad Commission
authorizing the widening of the grade
crossing of Eighth Street over the
track of Southern Pacific Company, a
corporation, in the City of Napa, County
of Napa, State of California.

ORIGINAL

) Application No.17758.

Roy E. Lochman, City Attorney,
for the Applicant.
H.W. Hobbs for Southern Pacific
Company, interested party.

BY THE COMMISSION:

O P I N I O N

City of Napa, a municipal corporation, has petitioned the Railroad Commission for an order granting authority to widen the crossing of Eighth Street at grade with the tracks of the Southern Pacific Company in that city. A public hearing was held at Napa by Examiner Handford on May 3, 1932. That date being a legal holiday it was stipulated by the parties that they had no objection to the matter being then heard.

Eighth Street is a short east and west street near the southerly city limits of the City of Napa. It extends westerly from Suscol Avenue a distance of approximately 500 feet to a point near the east bank of the Napa River, where it dead-ends at the right of way of an industrial spur track. Three hundred feet west of Suscol Avenue, Eighth Street crosses the main track and two side tracks of the Calistoga Branch of the Southern Pacific Company at grade.

Prior to the filing of this application the City of Napa improved Eighth Street under street improvement proceedings

by constructing an asphalt macadam pavement to the 40-foot width between curbs. The portions of the street fronting on the railroad right of way were, however, omitted from these proceedings and as a result a wide pavement exists on each side of the right of way which narrows to a crossing of gravel construction 16 feet in width on the northerly half of the street, the location, width and type of this crossing conforming to the roadway which previously existed along Eighth Street.

From exhibits prepared by Southern Pacific Company, it appears that the estimated cost of reconstructing this crossing to the full width of the street is about \$1,600.00, this figure including the cost of renewing ties and ballast and preparing the rails for a Standard No. 2 crossing.

The use of this crossing is confined almost entirely to a few small industries located in a district approximately 300 feet in width between the railroad and the river extending from Eighth Street northerly to Sixth Street. A count, covering a period of four hours and twenty minutes, made on Thursday, March 31, 1932, shows that the crossing was used by seventeen automobiles, ten trucks, one bicycle and three pedestrians during that period. There is also access to this district by way of River Street, a short north and south street, which connects Eighth Street with Sixth Street, on the westerly side of the railroad.

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With a narrow crossing connecting wide approaches, a hazard is presented and if the crossing remains open, it should be improved.

After carefully considering the record in this proceeding, it appears that a proper proportion of the expense would be for Southern Pacific Company to prepare its tracks for receiving the pavement and for the City to bear the expense of paving, and the Order will so provide.

O R D E R

The City of Napa having made application for an order authorizing the widening of the grade crossing of Eighth Street over the tracks of the Southern Pacific Company in said City, a public hearing having been held, the matter having been duly submitted, and the Commission having given full consideration to the record in this proceeding,

IT IS HEREBY ORDERED that the City of Napa is hereby authorized to widen the crossing of Eighth Street (Crossing No. AB-45.2) with the tracks of the Southern Pacific Company to the full travelled width of said street, subject to the following conditions:

- (1) The expense of reconstructing said crossing shall be apportioned as follows:

To Southern Pacific Company:

The expense of improving its tracks to the full width of the adjacent roadway in such a condition as to receive the pavement.

To City of Napa:

The expense of improving the roadway within the railroad right of way to the full width of the adjacent improved street including the section occupied by the tracks.

- (2) The crossing 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.
- (3) 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.
- (4) 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.
- (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, public convenience and necessity demand such action.

The effective date of this Order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 13th day of

June
~~May~~, 1932.

Al Seaver
Leon Whiteley
W. J. Carr
W. B. Harris
Fred G. Stewart
Commissioners.