

Decision No. 25730.

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, for an order authorizing the construction of a State highway crossing at grade across the tracks of the Northwestern Pacific spur, at Waldo Point, Marin County, California.

Application No. 18505.

ORIGINAL

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, Division of Highways, on November 5th, 1932, applied for authority to construct a State highway known as Road IV-Marin-1-C at grade across a spur track of Northwestern Pacific Railroad Company at Waldo Point, County of Marin. Northwestern Pacific Railroad Company on November 8th, 1932, signified, in writing, that it has 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 known as Road IV-Marin-1-C at grade across the spur track of Northwestern Pacific Railroad Company at the location

as shown by the map (Exhibit "A") attached to the application, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 5C-8.4-C.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of 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 Northwestern Pacific Railroad Company.
- (3) The crossing shall be constructed of a width of not less than thirty (30) feet and at an angle to the railroad as shown on the map (Exhibit "A") attached to the application, and with grades of approach not greater than three (3) 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 a Standard No. 1 crossing sign as specified in our General Order No. 75-A, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Upon the completion of the crossing herein authorized and upon its being opened to public use and travel, applicant shall cause the existing crossing located approximately two hundred and fifty feet northerly therefrom and designated as Crossing No. 5C-8.3-C to be legally abandoned and effectively closed to public use and travel.
- (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 13th day of March, 1933.

Cl. Lewis
Leon White
M. A. C.
W. B. Lewis
W. B. Lewis
Commissioners.