

Decision No. 10344

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application
of Northwestern Pacific Railroad
Company for permission to construct a
spur track at grade across Third Street
in the City of San Rafael, County of
Marin, California.

Application No. 7757.

By The Commission:

O R D E R

Northwestern Pacific Railroad Company, a corporation, having on April 19, 1922, filed with the Commission an application for permission to construct a spur track at grade across Third Street in the City of San Rafael, County of Marin, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the City Council of said City of San Rafael for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said spur track, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted the Northwestern Pacific Railroad Company to construct a spur track at grade across Third Street in the City of San Rafael, County of Marin, California, described as follows:

Commencing at a point in the southerly line of Third Street, City of San Rafael, County of Marin, State of California, said point of commencement being easterly approximately 91.5 feet from the intersection of the said southerly line of Third Street and the easterly right of way line of the Northwestern Pacific Railroad Company, measured along the said southerly line of Third Street; thence northerly approximately sixty-seven feet across said Third Street to a point in the northerly line of said Third Street, said point being easterly approximately 69.5 feet from the intersection of the said northerly line of Third Street and the easterly line of Tamalpais Avenue, measured along said northerly line of Third Street,

all of the above as shown by the map attached to the application; said crossing to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of Third Street now graded, with grades of approach not exceeding two (2) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereover 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.

(4) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order 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, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 21st day of April,
1922.

H. B. ...

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Commissioners.