

Decision No. 10917

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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ORIGINAL

In the matter of the application
of the Board of Supervisors of the
County of Sutter, State of California,
for permission to construct a public road
at grade across the track of Southern
Pacific Company near By Pass.) Application No. 8051.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Sutter, State of California, having on July 14, 1922, filed with the Commission an application for permission to construct a public road at grade across the track of Southern Pacific Company, hereinafter called the Railroad, in said County, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the Railroad has signified by letter that it has no objection to 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 track, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be hereby granted the Board of Supervisors of the County of Sutter, State of California, to construct a road at grade across the track of the Railroad described as follows, to-wit:

BEGINNING at a point in the northerly Right of Way line of the Southern Pacific Company's property on the line Woodland to Marysville said point being forty eight and seven tenths (48.7) feet at right

angles northerly from the center line of the present main line at Engr.Sta.1127-17.06, said point bears $SO^{\circ} 11' 32''$ E. a distance of eleven hundred and eighty-four and forty-two hundredths (1184.42) feet from corner common to lots 65, 64, 74 and 75 of Sutter Basin Subdivision No.2; thence along said right of way line N. $67^{\circ} 43-3/4'$ E. a distance of twenty-seven (27) feet to a point, thence $SO^{\circ} 11-1/2'$ E. a distance of one hundred and sixty-one and eighty-eight hundredths (161.88) feet to a point in the southerly right of way line of said property, thence along said right of way line S $67^{\circ} 43-3/4'$ W., a distance of fifty-four (54) feet to a point, thence $NO^{\circ} 11-1/2'$ W., a distance of one hundred and sixty-one and eighty-eight hundredths (161.88) feet to a point in said northerly right of way line, thence along said right of way line N $67^{\circ} 43-3/4'$ E. a distance of twenty-seven (27) feet to point of beginning,

all of the above as shown on 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 shall be borne by the applicant. The cost of its maintenance up to a line two (2) feet outside the rails shall be borne by the applicant. The maintenance of that portion of the crossing between the rails and two (2) feet outside thereof shall be borne by the Railroad.

(2) The crossing shall be constructed of a width not less than twentyfour (24) feet and at an angle of sixtyseven (67) degrees fiftyfive (55) minutes to the railroad and with grade of approach not greater than four (4) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe 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.

(4) The authorization herein granted for the installation of said crossing will 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 at 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 26th day of August, 1922.

H. B. Sandberg
Erving Martin
Charles H. Fowler

Commissioners.