

ORIGINAL

Decision No. 11121

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application)
of the Board of Supervisors of the)
County of Sacramento, State of Calif-)
ornia, for permission to construct a)
public road at grade across the tracks)
of the Southern Pacific Company be-)
tween Ben Ali and Walerga, Sacramento)
County, California.)

Application No. 8177.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Sacramento, State of California, having on August 17, 1922, filed with the Commission an application for permission to construct a public road at grade across the tracks of Southern Pacific Company, hereinafter called 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 tracks, and that the application should be granted subject to the conditions hereinafter specified,

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

1.

A strip of land forty feet in width across the right of way of said Railroad the center line of said strip commencing at the intersection of the line between Sections 25 and 26 T.9 N.R. 5 E., M.D. B. & M., and the westerly line of said right of way, at right angles to said right of way line easterly across said right of way intersecting said Railroad at Railroad Engineer Station 410 plus 43.6, all 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 twenty-four feet and at an angle of ninety (90) degrees to the railroad and with grades 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) The publicly used crossing located 277 feet southerly from the crossing herein shall be legally abandoned in so far as the applicant has power so to do and shall effectively be closed to public use and travel.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(5) 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.

(6) The Commission reserves the right to make such further orders relative to the location, construction, operation, main-

tenance 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 18th day of October, 1922.

Irving Martin
Charles D. [unclear]
J. F. [unclear]

Commissioners.