

ORIGINAL

Decision No. ✓.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 1355

In the matter of the application of the )  
BOARD OF SUPERVISORS of MERCED COUNTY, )  
California for permission to construct )  
a public highway at grade over the track ) Application No. 1022.  
of Central Pacific Railway Company and )  
its Lessee, Southern Pacific Company, )  
near Atwater Station, in Merced County, )  
California. )  
..... )

O R D E R

By the Commission,

BOARD OF SUPERVISORS of MERCED COUNTY, CALIFORNIA, having on March 5, 1914 filed with the Commission an application for permission to construct a public highway at grade across the track of the Central Pacific Railway Company and its Lessee, Southern Pacific Company, near Atwater Station, in Merced County, California, as hereinafter indicated; and it appearing to the Commission that this is not a case in which a public hearing is necessary; that applicant has secured an easement from the Central Pacific Railway Company and its Lessee, Southern Pacific Company, dated February 17, 1914, authorizing the construction of said crossing at grade; and it further appearing that it is not reasonable nor practicable to avoid 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 Board of Supervisors of Merced County, California to construct a public highway at grade across the track of Central Pacific Railway Company and its Lessee, Southern Pacific Company, near Atwater Station, in Merced County, California, as shown by the map attached to the application, at Engineer's Station 2509 plus 90.6, and subject to the following conditions, viz:

(1) The entire expense of constructing the crossing shall be borne by applicant.

(2) The expense of maintaining the crossing in good and first-class condition for the safe and convenient use of the public shall be borne by applicant to a distance of two (2) feet on the outside of the track of the Central Pacific Railway Company and its Lessee, Southern Pacific Company.

(3) Central Pacific Railway Company and its Lessee, Southern Pacific Company, shall maintain the crossing over said track and to a distance of two (2) feet on the outside thereof.

(4) Said crossing shall be constructed of a length not less than twenty-four (24) feet with grades of approach not exceeding six (6) per cent, and shall be ballasted with first-class stone or gravel ballast to a depth of not less than six (6) inches.

(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 17th day of March, 1914.

H. Loveland

Max Thelen

Edwin C. Edgerton

Commissioners.