

Decision No. \_\_\_\_\_.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 3001

In the matter of the application of BOARD OF SUPERVISORS, Sacramento County, California, for an order declaring a certain crossing at North Sacramento Station, in the County of Sacramento, California, to be a public crossing.

Application No. 1923.

H. B. Bradford, District Attorney, for applicant.

H. O. Brown for Northern Electric Railway Company.

E. Hendrickson, Secretary, for North Sacramento Land Company.

By the Commission,

O P I N I O N.

This application was filed by the Board of Supervisors of Sacramento County on November 16, 1915, and asks for permission to open a public highway known as El Camino Avenue in lieu of an existing private crossing over the track of Northern Electric Railway Company in a sub-division made by the North Sacramento Land Company in Sacramento County north of the City of Sacramento. A public hearing was held in Sacramento on December 15, 1915.

The situation here is peculiar. The North Sacramento Land Company owns property on both sides of the Northern Electric right-of-way and have sub-divided this property and placed it on the market. The track of the Northern Electric Railway Company runs in a Northeasterly and Southwesterly direction in this vicinity and on the Southwesterly side of the track the sub-division, which is well built up, is easily accessible from Sacramento by the State Highway which forms one boundary of the tract. On the opposite side of the railway's reservation there are some three hundred acres which can not now be reached by public road and it is to secure a public road to serve this land that this application has been filed.

The nearest public crossings to the proposed crossing are about a mile distant toward Sacramento and two miles distant in the

opposite direction. To enable residents of this three hundred acres to secure access to the first crossing would necessitate the construction of a road nearly a mile long over lands which are under water for several months during the year. To reach the second crossing it would be necessary to build a road about two miles long through property now owned by others than the North Sacramento Land Company and its use would occasion a detour of four miles each way to and from Sacramento. The three hundred acres which this crossing has been designed to serve have been but recently subdivided and placed on the market. But two families live in this latter sub-division at the present time and but six lots have been sold. Undoubtedly the private crossing would continue to serve this territory for some time to come, but there seems to be no reason why a private crossing used by the general public should not be in fact a public crossing, and in this case it is apparent that it is entirely reasonable that there should be such a public crossing in the location proposed even though the traffic over it will be extremely light for some time to come.

The Northern Electric Railway Company does not oppose this crossing. A clear view can be had of approaching trains on either side of the track and no protection is needed other than the usual crossing sign.

O R D E R.

BOARD OF SUPERVISORS, Sacramento County, California, having applied to the Commission for an order declaring a certain private crossing at North Sacramento Station, in the County of Sacramento, California, to be a public crossing, and a hearing having been held, and it appearing to the Commission, for the reasons set forth above, that this application should be granted subject to certain conditions,

IT IS HEREBY ORDERED, that this application be and the same hereby is granted subject to the following conditions, viz.:

(1) Said crossing shall be constructed of a width not less than twenty-four (24) feet, with grades of approach not exceeding four (4) per cent; shall be protected by suitable crossing sign, and shall in every way be made safe and convenient for the passage thereover of vehicles and other road traffic.

(2) The entire expense of constructing said crossing shall be borne by applicant.

(3) The expense of maintaining said crossing thereafter up to within two (2) feet of the rails of Northern Electric Railway Company shall be borne by applicant. The expense of maintaining this crossing thereafter between the rails and to a distance of two (2) feet outside thereof shall be borne by Northern Electric Railway Company.

(4) 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 to be 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 24th day of December, 1915.

Max Thelen

H. H. Howard

W. E. Gordon

Frank R. Owen

Commissioners.