

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of )  
COUNTY OF IMPERIAL for permission to )  
open five public highways across the )  
INTER-CALIFORNIA RAILWAY COMPANY, and )  
its lessee Southern Pacific Company. )  
..... )

Application No. 1978.

In the matter of the application of )  
IMPERIAL COUNTY for authority to con- )  
struct and maintain certain public )  
highways across the right of way of )  
Inter-California Railway Company, and )  
its lessee Southern Pacific Company. )  
..... )

Application No. 2144.

Geo. D. Squires, for Southern Pacific Company.

GORDON, Commissioner,

O P I N I O N.

Application 1978 was filed with the Commission by Imperial County on November 26, 1915, and asks permission to construct five crossings at grade over the tracks of the Inter-California Railway Company which is leased by the Southern Pacific Company. The second application (App. 2144) filed March 16, 1916, covers one of the crossings applied for in the previous application and was filed to cover a correction in the description of the right-of-way to be acquired for road purposes. The two applications were heard at one time and can be covered by one opinion and order.

The railroad company made no objection to the opening of these crossings. They have in fact issued easements covering the necessary right of way. The five crossings proposed in the applications are all north of the Alamo River and South of Niland and between these two points, a distance of 16 miles, there are no open public crossings. The country has recently been placed under irrigation and considerable development has taken place which make it reasonable and necessary that public highways should be opened across the tracks.

With the exception of one crossing which is in the center of the unincorporated town of Calipatria all of these crossings are in open country and cross a single track at right angles, so the hazard of accident is reduced to a minimum.

The crossing at Calipatria crosses two tracks but the view is unobstructed and all trains stop at the station which is close to the crossing so this crossing will also be comparatively safe.

I am satisfied on the facts of this case that public necessity and convenience demand their opening.

I recommend the following form of order:

O R D E R

IMPERIAL COUNTY, CALIFORNIA, having applied to the Commission for permission to construct five crossings, to be hereinafter described, at grade over the tracks of the Inter-California Railway Company, leased by Southern Pacific Company, and a public hearing having been held, and it appearing that these applications should be granted subject to certain conditions,

IT IS HEREBY ORDERED, That permission is hereby granted Imperial County, California, to construct five crossings at grade over the track of the Inter-California Railway Company and its lessee, Southern Pacific Company, described as follows:-

1. Beginning at a point in the line between Sections 3 and 10, T. 11 S. R. 14 E., S.B.B.&M, which line intersects the center line of the Inter-California Railway main track at ES 23 plus 37.3, more or less, said point being distant westerly measured along said section line 200 feet from the center line of main track of the Inter-California Railway Company; and located in the westerly permanent way line of said railroad; thence northerly, at right angles to said section line and along said permanent way line parallel with and distant 200 feet from center line Inter-California Railway 50 feet to a point; thence easterly at right angles 300 feet to a point in the easterly permanent way line of said railroad; thence southerly at right angles and along said easterly permanent way line 100 feet to a point; thence westerly at right angles 200 feet to a point in the westerly right of way line of the Inter-California Railway opposite ES 23 plus 87.3; thence northerly at right angles along said westerly permanent way line 50 feet to a point on aforementioned line between sections 3 and 10; thence west along said section line 100 feet to a point of beginning.

2. Beginning at a point on the line between Sections 10 and 15, T. 11 S., R. 14 E., SBB&M, which line intersects center line of main line of Inter-California Railway at ES 76 plus 18.3, more or less; said point being distant easterly at right angles from aforementioned center line of track 100 feet and being located in the easterly permanent way line of the Inter-California Railway; thence northerly at right angles along said permanent way line a distance of 50 feet to a point; thence westerly at right angles to last course 200 feet to a point in the westerly permanent way line of the Inter-California Railway; thence southerly at right angles along said westerly permanent way line 100 feet to a point; thence easterly at right angles 200 feet to a point in the easterly permanent way line of the Inter-California Railway; thence at right angles and along said easterly permanent way line 50 feet to point of beginning.

3. Beginning at a point on the line between Sections 15 and 22, T. 11 S., R. 14 E., SBB&M, Imperial County, Cal., which line intersects center line of the Inter-California Railway at ES 128 plus 99.3, more or less; said point being distant easterly at right angles from aforementioned center line of track 100 feet, and being located in the easterly permanent way line of the Inter-California Railway; thence northerly at right angles and along said easterly permanent way line a distance of 50 feet to a point; thence westerly at right angles 200 feet to a point in the westerly permanent way line of the Inter-California Railway, thence southerly along said westerly permanent way line 100 feet to a point; thence easterly at right angles 200 feet to a point in the aforementioned easterly permanent way line; thence northerly at right angles and along said easterly permanent way line 50 feet to point of beginning.

4. Beginning at a point in the line between Sections 3 and 10, T. 12 S., R. 14 E., SBB&M, County of Imperial, State of California, said point being in the easterly permanent way line of the Inter-California Railway and distant easterly 100 feet from the intersection of the aforesaid section line with the center line of the aforesaid railway at ES 340 plus 67, more or less, measured along the aforesaid section line; thence North  $0^{\circ} 26'$  East, parallel with the aforesaid center line of railway, 50 feet to a point; thence South  $89^{\circ} 59'$  West, parallel with and distant northerly 50 feet, measured at right angles from the aforesaid section line 200 feet to a point in the westerly permanent way line of the aforesaid railway; thence South  $0^{\circ} 26'$  West, along aforesaid westerly permanent way line 100 ft. to a point; thence North  $89^{\circ} 59'$  East, parallel with the aforesaid section line 200 ft. to a point in the aforesaid easterly permanent way line; thence North  $0^{\circ} 26'$  East along aforesaid easterly permanent way line 50 feet to the point of beginning, and more particularly shown enclosed within red inked lines on blue print map attached to the application.

5. Beginning at a point in the easterly permanent way line of the Inter-California Railway, said point being opposite Engineer's Station 419-37.1 and distant easterly 250.0 feet, measured at right angles from the center line of the constructed main track of said railway; thence southerly along the easterly permanent way line of said railway a distance of 100.0 feet; thence westerly at right angles 400.0 feet to a point in the westerly permanent way line of said railway; thence northerly along said westerly permanent way line of said railway a distance of 100.0 feet; thence easterly

at right angles 400.0 feet to point of beginning, and more particularly shown enclosed within red inked lines on blue print map attached to the application.

All of the above as shown by the maps attached to the applications; crossings to be constructed subject to the following conditions, viz.:-

(1) These crossings shall be constructed of a width not less than twenty-five (25) feet, with grades of approach not exceeding four (4) per cent; shall be protected by suitable crossing signs 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 the crossings shall be borne by applicant.

(3) The expense of maintaining the crossings thereafter between the rails and to a distance of two (2) feet outside thereof shall be borne by Southern Pacific Company.

(4) The expense of maintaining the crossings to a point within two (2) feet of the rails of track shall be borne by the applicant.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 25<sup>th</sup> day of March, 1916.

Max Thelen  
H. H. ...  
...  
Edwin O. Edgerton  
Frank B. Doherty  
Commissioners.