

# ORIGINAL

Decision No. 3788

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

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application	)	
of the BOARD OF SUPERVISORS OF	)	
COLUSA COUNTY for the construction	)	
of a highway at grade across the	)	Application No. 2545.
tracks of the Southern Pacific Com-	)	
pany in Road District No. 3 in said	)	
county.	)	

C. J. Westcott for applicant.  
Frank B. Austin for Southern  
Pacific Company.

BY THE COMMISSION:

## O P I N I O N.

A petition was filed under Section 2682 of the Political Code asking permission to construct a county road at grade across the tracks of the Southern Pacific Company about 2½ miles north of Williams and about 2½ miles south of Colusa Junction, Colusa County, to connect the territory to the northeast thereof with the State Highway which is now constructed along the west line of the railroad right-of-way through Colusa County.

As originally planned, the State Highway would have paralleled the railroad on the east, which would have necessitated two crossings of the railroad. The ranchers who deeded to the county the right-of-way to the east of the railroad for the State Highway deeded to the County a new right-of-way therefor to the west of the railroad thus avoiding the two crossings, with the understanding that the

original right-of-way would revert to them, and that they would be furnished access to the State Highway by the crossing now applied for.

The proposed crossing will serve about six families living to the northeast of it who trade at Williams and three or four living to the southwest of it who have lands or interests to the northeast of the crossing. The nearest crossing to the north is at Colusa Junction; but the road leading to it from the east is in poor condition. The nearest crossing to the south is about 1 1/3 miles distant. The latter crossing leads to a road forming a short cut to the State Highway lateral leading to Colusa. The Supervisors expect to improve the short cut during the year so that it will become an important road, and the crossing to which it leads will then probably accommodate much more travel than the crossing applied for.

The proposed crossing is located in level, open fields. The railroad track is about 4 feet higher than the surrounding land, and it is the intention of the railroad company to raise the grade still higher on account of flood waters. This will necessitate long, high approaches with suitable culverts under them.

If this crossing is opened an existing road on the east side of the track connecting this crossing with the one immediately south will be abandoned. When this is done, and the road mentioned above as the short cut road, is improved, traffic will be diverted from one crossing to another to such an extent that it is impossible to tell now whether the crossing applied for or the crossing south of it will have the most

traffic. The County agreed to stand the expense of an automatic flagman to protect the proposed crossing; and in view of the uncertainty concerning which of these two adjacent crossings would carry the most traffic, its representatives agreed to install the flagman at the crossing south of the one proposed provided future developments should show that it was more needed at that point. The Railroad Company agreed to this and there seems to <sup>be</sup> no reason why this Commission should not approve it. The physical conditions of the two crossings are substantially the same, and under these circumstances it is logical to protect the crossing which has the greater traffic. The Commission will reserve the right to investigate these crossings in six months and order the protective device installed at the crossing which in its judgment appears to need it most.

O R D E R.

THE BOARD OF SUPERVISORS OF COLUSA COUNTY, California, having applied to the Railroad Commission for permission to construct a public road at grade across the tracks of the Southern Pacific Company in Road District No. 3 in said county, and a public hearing having been held; and it appearing to the Commission that this application should be granted subject to certain conditions:

IT IS HEREBY ORDERED that permission be and the same hereby is granted Board of Supervisors of Colusa County to construct a public road at grade across the tracks of the Southern Pacific Company at the point and

in the manner more particularly described in the application and shown on the map submitted at the hearing as Southern Pacific's Exhibit 1; subject to the following conditions, and not otherwise, viz:

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

(2) The expense of maintaining said crossing to a point within two (2) feet of the rails of Southern Pacific Company shall be borne by applicant. The expense of maintaining the crossing between the rails of the Southern Pacific Company and to a point two (2) feet outside thereof shall be borne by the Southern Pacific Company.

(3) Said crossing shall be constructed of a width not less than twenty (20) feet, with grades of approach not exceeding six (6) per cent; shall be protected by a suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(4) The Commission reserves the right to order the installation of an automatic flagman at this crossing, or the crossing immediately south, as its inspection six months from this date may determine; and the expense of this installation shall be borne by applicant, while the expense of its maintenance thereafter shall be borne by the Southern Pacific Company.

(5) The Commission reserves the right to make such further orders relative to the location, con-

struction, 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

16th

day of October, 1916.

Max Thelen

Alex Gordon

Edwin O. Edgerton

Frank R. Dornier

Commissioners.