

ORIGINAL

Decision No. 4593

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
COUNTY OF MERCED for permission to)
construct a highway at grade across)
the tracks of Southern Pacific)
Company, in the Town of Arena, Merced)
County, California.)
.....)

Application No. 3137.

By the Commission,

ORDER

COUNTY OF MERCED, having on August 21, 1917, filed with the Commission an application for permission to construct a highway at grade across the tracks of Southern Pacific Company in the Town of Arena, 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 the necessary permission has been granted by Southern Pacific Company; that the proposed crossing is not within the limits of an incorporated town or city and no franchise is needed for 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 Southern Pacific Company, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted County of Merced to construct a highway at grade across the tracks of Southern Pacific Company in the Town of Arena, Merced County, California, described as follows:

That certain highway located on the north and south line through the center of Section 32, Township 6 South, Range 12 East, Mount Diablo Base and Meridian.

All of the above as shown by 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, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant, except that portion between the rails and two (2) feet outside thereof, which shall be maintained by the railroad company.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of the highway now graded, with grades of approach not exceeding four (4) 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.

(3) 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 29th day of August, 1917.

Man Thelen

Alex Gordon

Frank R. Devlin

Commissioners.