

ORIGINAL

Decision No. 41825

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
CALIFORNIA, EASTERN AND NORTHERN)
RAILWAY for permission to construct) Application No. 3290.
main line track at grade across)
certain portions of county roads in)
Napa County, California.)
.....

By the Commission,

O R D E R

CALIFORNIA, EASTERN AND NORTHERN RAILWAY, a corporation, having on, October 25, 1917, filed with the Commission an application for permission to construct main line track at grade across certain portions of county roads in Napa 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 proposed crossings are not within the limits of an incorporated town or city and no franchise is needed for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said county roads, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted California, Eastern and Northern Railway to construct main line track at grade across certain portions of county roads in Napa County, California, described as follows:

Beginning at a point on the westerly line of the 60 feet wide Napa-Calistoga County Road, the said westerly line being also the easterly line of the property belonging to the Southern Pacific Company within the town of Rutherford, Napa County, State of California, distant

thereon, south 36 degrees east, approximately, 72 feet from the said westerly line's intersection with the southerly line of the 60 feet wide Rutherford-Chiles County Road, projected westerly across the said Napa-Calistoga County Road, the said point of beginning being on a 32 degrees curve at its intersection with the aforesaid westerly line, distant thereon, about 62.4 feet from the beginning of the said curve, thence along the said curve and centre line of this railway, across the said Napa-Calistoga & Rutherford-Chiles County Roads, north-easterly approximately, 224.8 feet to the point of the tangent to said curve, distant southerly, about 15 feet from the northerly line of the said Rutherford-Chiles County Road and easterly about 111 feet from the easterly line of the said Napa-Calistoga County Road.

Beginning at a point on the westerly line of the Rutherford-Chiles County Road, distant thereon southerly, approximately, 60 feet from the south-east corner of Lot number 8 of the Rancho Caymus, as surveyed in the year 1870 by T J Dewoody, thence across the said county road, north 11 degrees 30 minutes east approximately, 150 feet to the easterly line of the said Rutherford-Chiles County Road.

Beginning at a point on the southerly line of the St Helena-Chiles County Road, distant thereon, south 62 degrees 10 minutes west approximately, 591 feet from the said southerly line's intersection with the west line of the north-east quarter of Section 3, Township 7 north, Range 5 west, M D M, the said point of beginning being on a 19 degrees 30 minutes curve at its intersection with the aforesaid southerly line, distant thereon, approximately, 62 feet from the beginning of the said curve, thence along the said curve and centre line of this railway, across the said 60 feet wide county road, north-easterly, approximately, 177 feet to a point, approximately, 7.5 feet southerly from the northerly line of the said St Helena-Chiles County Road.

Beginning at a point on the northerly line of the St Helena-Chiles County Road, distant thereon, easterly, approximately, 1081 feet from the said northerly line's intersection with the west line of Section 1, Township 7 north, Range 5 west, M D M, thence across the said county road, along the centre line of this railway, south 89 degrees 21 minutes east, approximately, 148 feet to a point 10 feet northerly from the southerly line of the said St Helena-Chiles County Road.

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

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of the county roads now graded, 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 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 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.

Dated at San Francisco, California, this 8th
day of November, 1917.

Max Thelen

Edwin O. Edgerton

Franz R. Klobner

Commissioners.