

GENE

ORIGINAL

Decision No. 1418

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA.

In the Matter of the Application)
of the BOARD OF SUPERVISORS OF)
THE COUNTY OF COLUSA to construct)
a public county road at grade)
across the tracks of the Southern)
Pacific Company in Road District)
No. 4 in Township 17 N., Range)
3 W.)

Application No. 3341

O. N. Kritchfield, for Board of
Supervisors, Colusa County.

Frank B. Austin, for Southern
Pacific Co.

BY THE COMMISSION:

O P I N I O N

This a viewer's petition, filed with the
Supervisors of Colusa County, requesting a public cross-
ing at grade over the tracks of the Southern Pacific
Company, about one mile south of Delavan in Colusa County.

A public hearing in the matter was held by
Examiner Westover at Colusa on December 8, 1917.

The point of crossing is in level country,
with no obstruction to the view from either direction.
There is at present a private crossing at the point in
question.

A public road approaches the crossing from the west at right angles with the tracks and continues on East about two miles from the tracks as a private road, passing between Sections 10, 11, 14 and 15 of Township 17 North, Range 3 West to the present County Road, running North and South, parallel with the railroad. These roads are separated from the railroad right-of-way by gates.

The purpose of the application is to enable ranchers living to the East of the tracks to reach the State Highway, which parallels the railroad on the West, over a public crossing, and thereby reach Maxwell, about four miles South of the proposed crossing, their trading and market point; and also to enable ranchers living on the West of the tracks engaged in farming rice lands to the East of the track to reach their fields. The nearest crossings are those at Delavan, about one mile North, and at Maxwell, about four miles South. The roads to the East of the railroad track are not paved and in the winter time are in bad condition.

The Southern Pacific Company offers no objection to the crossing if the Commission concludes that public convenience requires it, but it wishes to keep a space of about ten feet between the South line of the crossing and the North end of its trestle bridge over Funk's Slough, which comes from the West, flows under the trestle and thence to the Southeast; and that the cost of the crossing and cattle guard shall be borne by the County. Both

of these stipulations are acceptable to the County authorities.

O R D E R

A public hearing having been held upon the above entitled viewer's petition, requesting authority to construct a public crossing at grade over the tracks of the Southern Pacific Company, at the point hereinafter described, evidence having been taken, the matter being submitted, and now ready for decision,

IT IS HEREBY ORDERED that permission be and it is hereby granted to the Board of Supervisors of Colusa County, to construct a public crossing at grade over the tracks of Southern Pacific Company, in Colusa County, California, at a point about four miles north of Maxwell and about one mile south of Delevan, said crossing being a continuation or extension of that certain highway running East and West between Sections 10 and 11, 14 and 15, of Township 17 N., Range 3 W.; said crossing to be constructed subject to the following conditions:

(1) The entire expense of constructing the crossings, 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 the maintenance of that portion between the rails and two feet outside thereof, which shall be borne by the railroad company.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion

of said road hereafter to be graded with grades of approach not exceeding 4%, and shall be protected by a suitable crossing sign, and shall in every way be made safe for the passing thereover of vehicles and other road traffic. Said crossings shall not be located within ten feet of the North end of the bridge of the Southern Pacific tracks at this point.

(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 13th day of December, 1917.

Max Thelen
H. D. Howard
Edwin O. Egerton
Stanley R. Nelson

Commissioners.