

Decision No. 4994

ORIGINAL

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of THE PEOPLE OF THE STATE OF CALIFORNIA, ON THE RELATION OF THE DEPARTMENT OF ENGINEERING, for an order authorizing the construction of a state highway grade crossing over the tracks of the Southern Pacific Railroad Company and the Southern Pacific Company at Valley Springs, Calaveras County, California.

Application No. 3216.

C. C. Carleton for Applicant.
George D. Squires for Southern Pacific Company.
C. P. Snyder for Calaveras County.

By the Commission.

O P I N I O N.

The crossing which the State Highway Commission desires to secure in this application is located on the Valley Springs Branch of the Southern Pacific Company at a point some 600 feet beyond the Valley Springs Station. The Railroad Company refused to grant an easement. So the application was set for a hearing which was held before Examiner Encell at Valley Springs on December 12th.

The State Highway Commission is constructing a road between Valley Springs and San Andreas, which is some 1945 feet shorter than the existing county highways between the same points. The present county highway crosses the railroad at Valley Springs about half way between the station and the proposed state highway crossing, but as the state highway will lead in a southeasterly direction from the tracks and the present county road serves a territory southwest of the existing crossing, as well as that which will be reached by the new

state highway, the existing crossing can not be closed without inconvenience.

It would be possible for the State Highway Commission to use the existing crossing but to do so it would be necessary for it to purchase additional right of way and construct two sharp turns in the highway. The track to be crossed is nearly at the extreme end of a branch line over which but one regular train passes each way per day and the only train movements at the proposed crossing will be some daily switching between the hours of 3 and 3:30 P. M. The crossing will be one of minor importance, and as there will be no obstructions to the view it will never be particularly dangerous. The application should be granted subject to the usual conditions.

O R D E R

State Highway Commission having applied to the Railroad Commission for permission to construct a state highway crossing over the tracks of the Southern Pacific Company and the Southern Pacific Railroad Company, at Valley Springs, Calaveras County, California, 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 THE STATE OF CALIFORNIA, ON BEHALF OF THE DEPARTMENT OF ENGINEERING, to construct a state highway crossing over the tracks of the Southern Pacific Company and the Southern Pacific Railroad Company, at Valley Springs, Calaveras County, California, at the point and in the manner 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 shall be borne by applicant, together with its maintenance thereafter, except for the 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 of not less than twenty-five (25) feet, 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 28th day of December, 1917.

Max Thelen
H. S. Loveland
Alex Gordon
Edwin O. Edgerton

Commissioners.