

# ORIGINAL

Decision No. 5244

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 RE- )  
LATION OF THE DEPARTMENT OF ENGINEERING, )  
for an order authorizing the construction )  
of a state highway crossing at grade over )  
the tracks of the Southern Pacific Rail- )  
road Company, between Wallace and Burson, )  
Calaveras County, California. )  
.....

Application No. 3382

By the Commission.

## ORDER.

The PEOPLE OF THE STATE OF CALIFORNIA, ON RELATION OF THE DEPARTMENT OF ENGINEERING, having on December 12, 1917, filed with the Commission an application for permission to construct a state highway crossing at grade over the tracks of the Southern Pacific Railroad Company, between Wallace and Burson, Calaveras County, California; and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the Southern Pacific Company has granted its permission for the construction of the proposed crossing at grade; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said highway, and that this application should be granted subject to certain conditions:

IT IS HEREBY ORDERED, That permission be hereby granted PEOPLE OF THE STATE OF CALIFORNIA, ON RELATION OF THE DEPARTMENT OF ENGINEERING, to construct a state highway crossing at grade over the tracks of the Southern Pacific Railroad Company, between

Wallace and Burson, in Division 3, Route 24, Section A, Calaveras County, California; said crossing to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossing shall be borne by applicant. The expense 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 for that portion between the rails and two (2) feet outside thereof, which shall be borne by the Southern Pacific Railroad Company.

(2) Said crossing shall be constructed of a width and type to conform to that portion of the highway to be crossed 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 27th day of March, 1918.

Mar. Thelen  
H. D. Loveland  
Alex. Gordon

Commissioners.