

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of BOARD OF SUPERVISORS of Merced County, California, for permission to construct a public highway crossing at grade across the track of Southern Pacific Railroad Company, between stations Volta and Ingomar in said county.

Application No. 102.

ORDER

By the Commission.

BOARD OF SUPERVISORS, Merced County, California, having on November 18, 1912, filed with the Commission an application for permission to construct a public highway crossing at grade across the track of Southern Pacific Railroad Company between stations Volta and Ingomar, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary, that applicant has secured and filed with the Commission an easement dated February 5, 1913, from said company, authorizing 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 track and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be hereby granted Board of Supervisors, Merced County, California, to construct at grade a public highway known as "Fahy Road" across the track of Southern Pacific Railroad Company at engineer's station 6784+84 on the half (1/2) section line of Section twenty-six, T. 9 S., R. 9 E., M.D.M., in said county, as shown by the map attached to the application, subject to the following conditions, viz.:

- (1) The expense of constructing the crossing in a good and first-class condition for the safe and convenient use of the public shall

be borne by applicant.

(2) The cost of hereafter maintaining the crossing on each side and up to within two (2) feet of the rails of said company shall be borne by applicant. The cost of hereafter maintaining the crossing over the track and to a distance of two (2) feet on each side of the rails thereof shall be borne by said company.

(3) Said crossing shall be constructed of a width (parallel with the track) of not less than twenty-four (24) feet with grades of approach not exceeding six (6) percent and shall be ballasted to a depth of not less than six (6) inches with stone or gravel ballast across the track and to a distance on each side thereof of not less than twenty (20) feet.

*CA* 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 28<sup>th</sup> day of March, 1913.

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*H. S. ...*  
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*Edwin O. Edgerston*  
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Commissioners.