

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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

Application No. 296.

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 Central Pacific Railway Company between stations Livingston
 and Arena, 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 an easement from Central Pacific Railway Company
 dated February 5, 1913, 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 of Merced County, California, to construct a public highway
 crossing at grade across the track of Central Pacific Railway Company
 between stations Livingston and Arena at engineer's station 2383 near
 the line between Sections 30 and 31, T. 6 S., R.12E., M.D.B.&M in said
 county, subject to the following conditions, viz.:

(1) The entire expense of constructing the crossing shall be
 borne by applicant.

(2) The expense of hereafter maintaining the crossing on each

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side of the track and up to within two (2) feet of the rails thereof
hereafter
shall be borne by applicant. The cost of 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) foot 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
^{and}
track, for a distance of not less than twenty (20) feet on each side
thereof.

(4) 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
March, 1913.

H. D. Loveland

W. G. Anderson

Edwin O. Egerton

Commissioners.