

ORIGINAL

Decision No. 6001.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)	
E. N. Eager, County Surveyor of the)	
County of Solano, State of California,)	
for an order of the Railroad Commission)	
of the State of California, directing)	
and ordering the Southern Pacific Rail-)	Application No. 4092.
road Company to construct and abolish)	
certain public roads over its railroad)	
crossing about one mile west of Cordelia,)	
California, and the installation of a)	
safety device.)	

W. B. Connelly, Supervisor, for the County of Solano.
 E. N. Eager, County Surveyor, for the County of
 Solano.
 Frank B. Austin for Southern Pacific Company and
 United States Railroad Administration.

GORDON, Commissioner.

O P I N I O N

This is an application, filed September 19, 1918, in which Mr. E. N. Eager, County Surveyor of Solano County, in behalf of the County of Solano, petitions for an order from the Railroad Commission of the State of California, directing and ordering the Southern Pacific Company to construct and abolish certain public road crossings at grade over its railroad right of way and tracks, about one mile west of Cordelia, California. Applicant also petitions that the railroad company shall install an automatic flagman at the crossing applied for.

A hearing was held at Fairfield, Solano County, California, on December 10, 1918, and the two interested parties were

represented.

The crossings covered by this application are on what is known as the American Canyon Road, which runs from the main Vallejo-Napa Highway, about one and one-half miles south of Napa Junction, to the Fairfield-Napa State Highway, about one and a quarter miles west of Cordelia. This road is about six and one-half miles long, of which four miles are in Solano County and two and one-half miles are in Napa County.

The completion of the State Highway through Jameson Canyon and the establishing of a ferry service between Vallejo and Rodeo has caused a large automobile traffic through this region, as this is the shortest paved route to Sacramento. It is the intention of the Supervisors of Solano County to pave the American Canyon Road, as this route will then be further shortened some four or four and one-half miles, due to the fact that the Jameson Canyon State Highway does not leave the Vallejo-Napa Road until four miles nearer Napa than the American Canyon Road.

When the Jameson Canyon Highway was constructed, it was kept entirely on the north side of the railroad instead of crossing at the junction with the American Canyon Road and that portion of the county road south of the railroad and between the junction and Cordelia was abandoned. In this manner, a very dangerous grade crossing was eliminated for a large portion of the through travel. It is necessary, however, for those who desire to use the American Canyon Road to still use the railroad crossing at the junction with the Jameson Canyon Highway. The construction of the State Highway left this crossing in a deplorable condition, and at the present time, it is almost impassable. As an alternative, one can still drive down the old county road to the crossing near Cordelia, but this road was reverted to the property owners and has not been kept

up and will probably soon become impassable. It is the desire of the County to abandon the existing dangerous crossing at the junction and to locate a new crossing about four hundred and fifteen feet west. At the same time, they propose to straighten out the present road, which has two right-angled turns within a total distance of twenty-eight hundred feet, and run a straight road from the new crossing to a point about nineteen hundred fifty feet distant on the old road, thus eliminating the two turns and about eight hundred fifty feet of distance.

The site of the proposed crossing is such that a considerable expenditure of money will be required in its construction, as at this point the railroad runs on about an eight foot fill with a three foot borrow pit and a twelve foot ravine on the north side and an eleven foot ravine on the south side. These ravines will require expensive culverts and earth fills. The County asks that the railroad company pay for that part of the work on its right of way.

The Southern Pacific Company has no objection to moving the crossing as desired and is willing to move the locomotive bell from the present crossing to the new location or install an automatic flagman if the Commission so orders, but objects to paying anything toward the crossing proper. I see no reason why the Southern Pacific Company should pay for the construction of the crossing, but I do recommend that an automatic flagman be installed at their expense.

This matter could be settled in one of three ways- (1) by building a subway at the proposed site, (2) by paving the old county road as far as the first crossing west of Cordelia some three-quarters of a mile distant, or (3) by installing the crossing as desired. Either of the first two methods would eliminate the hazard of this crossing forever. However, the first method would be very

costly owing to drainage conditions and the second method would require the expenditure of about eight thousand dollars in addition to that required to construct the crossing applied for, and the railroad company is unwilling, at this time, to stand any of the expense of abandoning the existing crossing.. It seems necessary that that portion of this application covering the abandonment of the existing crossing and the protection desired for the new crossing be granted, and that that portion petitioning that the cost of construction of the crossing be assessed against the Southern Pacific Company be denied.

I recommend the following form of order:

O R D E R

COUNTY OF SOLANO having, on September 19, 1918, through its county surveyor, Mr. E. N. Eager, applied to this Commission for an order directing and ordering the Southern Pacific Company to construct and abolish certain public road crossings at grade over its right of way and tracks, about one mile west of the Town of Cordelia, County of Solano, State of California, and also to install a safety signal at the crossing applied for; and a public hearing, at which all interested parties were represented, having been held; and it appearing that the application should be granted in part, subject to certain conditions hereinafter specified;

IT IS HEREBY ORDERED, That the County of Solano, through its county surveyor, Mr. E. N. Eager, be and the same is hereby granted permission to construct a crossing at grade over the right of way and tracks of the Southern Pacific Company, about one mile west of the Town of Cordelia, County of Solano, State of California, said crossing to be protected by an automatic flagman; and also to abandon an existing crossing near that point. That portion of the application

relating to the assessment of the cost of construction of said crossing is denied.

The above order is to be carried out subject to the following conditions, viz.:

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

(2) The cost of removing the present crossing shall be borne by the Southern Pacific Company.

(3) Said crossing shall be constructed of a width of not less than twenty (20) feet, and of a type to conform to that portion of the road to be constructed adjacent to the railroad right of way, with grades of approach not exceeding six (6) percent; and shall be protected by an automatic flagman, as hereinbefore mentioned, a suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(4) The cost of installing an automatic flagman, together with the cost of its maintenance thereafter in good and first-class condition, shall be borne by the Southern Pacific Company.

(5) 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.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 21st day of December, 1918.

Edwin O. Edgerton

H. H. Board

Wm. Gordon

Frank R. Devine

Commissioners.