Decision No. 6983

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of the COUNTY OF GLENN, a body politic and corporate, for a crossing over the Southern Pacific at a point where the Avenue laid out and constructed in sub-division No. 5, of the United States Irrigation District of Orland, between Lots 10-9, 21-22, 5-6, intersects said Railroad, also at a point where the Avenue laid out and constructed in said Sub-division, between Lots 19-20, 12-11, 3-4, intersects said Railroad, and that the crossing now on said Railroad at a point 70 feet West of the point where the last named avenue intersects said Railroad be closed.

Application No. 4866.

257

By the Commission.

## ORDER

COUNTY OF GLENN having on August 15, 1919, applied to the Commission for permission to construct a crossing at grade over the right of way and tracks of the Wyo-Hemilton Branch of the Southern Pacific Company where the avenue laid out and constructed in sub-division No. 5 of the United States Irrigation District at Orland, between Lots 21-22, 10-9, 5-6, intersects said railroad and also for permission to construct a crossing at grade over the same railroad on the avenue. between Lots 19-20, 12-11, 3-4 of said subdivision, and to close an existing crossing 70 feet west of the last mentioned crossing, as shown by the map attached to the application; and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the crossing applied for on the avenue between Lots 21-22, 10-9, 5-6 was granted subject to certain conditions in Decision 4876, dated November 24, 1917, and covering Application 3281 of Glenn County: that there appears to be no reason why said decision should be revised or revoked, and it further appearing that that portion of this application relating to the crossing last mentioned should be dismissed and that that portion of this application, relating to the moving of the existing crossing seventy (70) feet west of the avenue. between Lots 19-20, 12-11, 3-4. onto the line of said avenue, should be granted;

IT IS HEREBY ORDERED, That that portion of this application relating to the opening of a crossing at grade over the right of way and tracks of the Wyo-Hamilton Branch of the Southern Pacific Company where the avenue between Lots 21-22, 10-9, 5-6 of sub-division No. 5 of the United States Irrigation District at Orland intersects said railroad, as shown by the map attached to the application, be and the same is hereby dismissed without prejudice.

IT IS HEREBY FURTHER ORDERED, That the COUNTY OF GLENN be and the same is hereby granted permission to open a crossing at grade where the avenue between Lots 19-20, 12-11, 3-4 intersects said railroad, providing the existing crossing seventy (70) fect west of the crossing last mentioned is closed; all as described in the application, and subject to the following conditions, viz.:

(1) The entire expense of constructing the new crossing and abandoning the existing crossing seventy (70) feet west thereof shall be borne by the applicant.

- 2 -

268

(2) The cost of maintaining said crossing, except for that portion between the rails and two (2) fect outside thereof, shall be borne by the applicant.

(3) The cost of maintaining that portion of the crossing between the rails and two (2) feet outside thereof shall be borne by the Southern Pacific Company.

(4) Said crossing shall be constructed of a width of not less than twenty-four (24) 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.

(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.

Dated at San Francisco, California, this <u>264</u> day of December, 1919.

269

Commissioners.