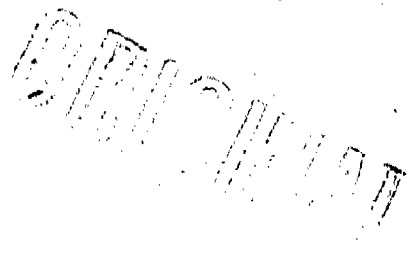


Decision No. 7235



BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application
of the BOARD OF SUPERVISORS OF
COLUSA COUNTY for permission to
construct a grade crossing.

) Application No. 5201.
)
)

Chas. de St. Maurice for applicant.
Frank B. Austin for Walker D. Hines,
Director-General United States Railroad
Administration, Southern Pacific
Railroad and Southern Pacific Company.

BY THE COMMISSION:

O P I N I O N

This is an application filed under Section
2694 of the Political Code for permission to construct a cross-
ing at grade over the tracks of the Southern Pacific system
at a point about three miles south of Arbuckle, Colusa County.

A public hearing in the matter was held by
Examiner Westover at Colusa.

The county proposes to lay out and establish
a public road connecting the State Highway which parallels and
adjoins the railroad right of way on the west, with territory

northeast of the proposed crossing. The road will extend easterly along the section line referred to in the order for a distance of about five-eighths of a mile to the corner of the section, and thence north along the east section line about a half mile. The new road is designed to accommodate some six or eight families living northeast of the railroad, and about 100 persons living westerly of the railroad. It will connect with and continue the present road leading from College City, which is about $2\frac{1}{2}$ miles northeast of the proposed crossing.

At the point of crossing, the tracks are in a cut about two feet deep. The surrounding country is open and level, with no obstruction to view except for trees and bushes east of the railroad right of way, which is 100 feet wide.

The railroad offers no objection to the opening of crossing provided the brush and trees are removed for a distance of 200 feet east of the tracks or the trees trimmed so high that they will afford no obstruction to view of approaching trains. The railroad proposes to remove a tree in the right of way east of the tracks about 700 feet north of the proposed crossing. Both parties agree that the crossing should be at right angles to the tracks, as suggested by the railroad.

It appears from the testimony that those interested in having the crossing opened can probably arrange to have the land cleared of brush and trees to meet the terms of the order.

The only crossings near the point of proposed crossing are two private crossings, one 1784.5 feet south, equipped with gates kept locked; and one 208.5 feet north of which there are gates, not locked. The travel over these private crossings is said to be negligible. The last mentioned

private crossing should be closed when the public crossing is completed. There are two public crossings, one to the north and one to the south, each about two miles distant.

O R D E R.

THE BOARD OF SUPERVISORS OF COLUSA COUNTY having applied to the Railroad Commission for permission to construct a crossing at grade over the tracks of the Southern Pacific Company, at a point about three miles south of Arbuckle, Colusa County, a public hearing having been held and the matter being submitted,

IT IS HEREBY ORDERED that said Board of Supervisors be and it is hereby authorized and empowered to construct a crossing at grade over the right of way and tracks of the Southern Pacific Company at a point about three miles south of Arbuckle, Colusa County, described as follows:-

"Commencing at a point where the section line between Sections 12 and 13, Township 13 North, Range 2 West, M.D.B. & M. intersects the easterly line of the railroad right of way of the Southern Pacific Company, the center line of said crossing shall extend westerly at right angles with the railroad tracks to a connection with the State Highway as shown on map introduced in evidence as Railroad Exhibit No. 1."

Said crossing shall be constructed subject to the following conditions:-

1. The entire cost of constructing and installing said crossing shall be borne by the County of Colusa.
2. The cost of maintaining said crossing in first-class condition for the safe and convenient use of the public shall be borne by the County of Colusa, except that the cost of maintaining that portion of the crossing which lies