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Decision No. 7991

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of the Board of Supervisors of the County of Merced, State of California, for permission to install a public road at grade over the tracks of the Southern Pacific Company on Finster Road, on the Range line between Townships 6 South, Ranges 11 and 12 East M. D. B. & M.

) Application No. 5852

) Application No. 5974

By the Commission,

O R D E R

The Board of Supervisors of the County of Merced, State of California, having on June 22, 1920, filed a viewer's petition with the Commission as Application No. 5852 for permission to construct a public road at grade across the tracks of the Southern Pacific Company on the Range line between Townships 6 South, Ranges 11 and 12 East in said County, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the Southern Pacific Company has signified by letter that it has no objection to the construction of said crossing at grade, and the County having on July 29, 1920, filed Application No. 5974 for this crossing under Section 43 of the Public Utilities Act which obviates the necessity of a public hearing, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said tracks, and that the applications should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be and the same is hereby granted the Board of Supervisors of the County of Merced, State of California, to construct a public road at grade over the tracks of the Southern Pacific Company on the Range line between Townships 6 South, Ranges 11 and 12 East, M. D. B. & M., California, as shown by the map attached to Application No. 5974; said crossing to be constructed subject to the following conditions, viz:-

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

(2) The cost of maintaining the crossing thereafter in good and first-class condition for the safe and convenient use of the public up to two (2) feet of the rails of the Southern Pacific Company shall be borne by the applicant.

(3) The Southern Pacific Company shall maintain said crossing between its rails and to a distance of two (2) feet outside thereof.

(4) Said crossing shall be constructed of a width 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 and convenient 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 will revoke its permission if, in its judgment, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 23rd day
of August, 1920.

Edwin C. Egert
H. H. Howard
Frank H. Linn
H. P. Prudig

Commissioners.