

Decision No. 8287

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application  
of the County of Butte, State of  
California, for permission to in-  
stall a grade crossing over the  
tracks of the Southern Pacific  
Company, near Durham, in said Butte  
County.

Application No. 6127.

By the Commission:

ORDER

County of Butte, State of California, having on September 16, 1920, filed with the Commission an application for permission to construct a public street at grade across the tracks of Southern Pacific Company in said County, 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 it further appearing that public convenience and necessity demand this crossing; that it is not reasonable nor practicable to avoid a grade crossing with said tracks, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted the County of Butte, State of California, to construct a public road at grade over the tracks of the Southern Pacific Company, about one and one-half miles south of Durham, Butte County, California, as shown by the map attached to the application; said cross-

ing 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 across its tracks 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 suitable crossing signs, 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 27<sup>th</sup> day of October, 1920.

H. S. Loveland  
Charles R. Allen  
H. B. Anderson

Commissioners.