

Decision No. 8456

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of the application of the County of Merced for authorization permitting the construction of a highway crossing at grade over the tracks of The Atchison, Topeka and Santa Fe Railway Company, on the Yam Road.

Application No. 6382.

By the Commission,

O R D E R

The County of Merced, State of California, having on December 10, 1920, filed with the Commission an application for permission to construct a public highway at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company 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 Atchison, Topeka and Santa Fe Railway has signified by letter that it has no objection to the construction of said crossing at grade, and it further appearing 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 Merced, State of California, to construct a public highway at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company on the east line of Section 15, Township 7 South, Range 13 East, in Merced County, California, as shown by the map attached to the application; 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 Atchison, Topeka and Santa Fe Railway Company shall be borne by the applicant.

(3) The Atchison, Topeka and Santa Fe Railway 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 six (6) 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 20th day of December, 1920.

Edwin O. Edgerton
H. D. Loveland
H. P. Bernard
Dwight Masten
Commissioners.