

ORIGINAL

Decision No. 8632

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
 of COUNTY OF SISKIYOU to construct  
 public highway in Klamath Road  
 District, in said county. } Application No. 6261.

J. A. Ager for Applicant.

J. A. Given for Southern Pacific Company.

BY THE COMMISSION.

O P I N I O N

This is a Viewers' Petition under Section No. 2694 of the Political Code, requesting the Board of Supervisors of Siskiyou County to lay out and open a road, part of which would cross the tracks of the Southern Pacific Company at grade about 3.44 miles north of Montague, Siskiyou County, on the line between Sections 1 and 12, T. 45 N., R. 6 W.

A public hearing on the application was held by Examiner Westover at Yreka.

The road in question is designed to connect the east and west road serving Snowden and extending southerly and westerly across the railroad at the point above described, to connect with the north and south county road lying about two miles west of the railroad and connecting with the State Highway near Hornbrook, thus connecting with northern California and Oregon points. It would also serve directly about six families on each side of the railroad and open up a large area of agricultural land which it is planned to soon incorporate into a large

irrigation district in Shasta Valley. There is at present no road connecting the territory east of the railroad with Montague, its principal trading center. The road is also proposed to extend between the proposed crossing and the Snowden road near Snowden, paralleling the railroad on the east.

The nearest public crossings are the Snowden crossing, 1.65 miles north, and the one at Montague, 3.45 miles south; and a private crossing about 300 feet north of the proposed crossing. The adjacent land owner has no objection to closing the private crossing if the proposed public crossing is established.

#### O R D E R

A public hearing having been held upon the above entitled application, the matter being submitted and ready for decision,

IT IS HEREBY ORDERED that the County of Siskiyou be and it is hereby authorized to construct a public highway crossing at grade over the tracks of the Southern Pacific Company on the line between Sections 1 and 12, T. 45 N., R. 6 W., at a point about 3.45 miles north of Montague, Siskiyou County; subject to the following conditions:

(1) The private crossing at a point about 300 feet north of the above described crossing shall be abandoned and closed.

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

(3) The cost of maintaining the crossing thereafter in good and first-class condition for the safe and convenient use of the public up to within two feet of the rails of the Southern Pacific Company shall be borne by the applicant; but said Southern Pacific Company shall maintain said crossing across its tracks and to a distance of two feet outside the rails thereof.

(4) Said crossing shall be constructed of a width not less than twenty-four feet, with grades of approach not exceeding four 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) Said crossing shall be installed within one year from the date of this order unless further time is granted by subsequent order herein; and unless so completed within the time specified the authority herein granted shall lapse and become void.

(6) The Commission shall be notified in writing of the completion of the installation of said crossing, within thirty days thereafter.

(7) 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 21<sup>st</sup> day of February, 1921.

H. D. Leonard  
Frank Kelly  
H. B. Boudreau  
James Martin  
Charles H. Rowen

Commissioners.