

Decision No. 8703

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

-000-

In the Matter of the Application)
of the People of the State of)
California on relation of the De-)
partment of Engineering for an)
Order authorizing the construction)
of a State Highway crossing under)
the tracks of the Northwestern Pacific)
Railroad Company, a corporation, near)
Arnold, Mendocino County, California.)

ORIGINAL

Application No. 6578.

By The Commission:

O P I N I O N

This is an application by the people of the State of California on relation of the Department of Engineering for an order authorizing the construction of a State highway crossing under the tracks of the Northwestern Pacific Railroad Company, a corporation near Arnold, Mendocino County, California.

The application states that the Department of Engineering proposes to construct an under-crossing under the tracks of said railroad according to plans attached to the application and marked Exhibit "A", and states further that negotiations have been in progress between applicant and said railroad; that the railroad is willing that the under-crossing be constructed and that both parties have agreed to the following division of costs, to-wit: The railroad to furnish, install and maintain the necessary girder span and the Department of Engineering to build the necessary abutments, do all the road work and provide the drainage therefor.

There is attached to the application, and marked "Exhibit B", a copy of a letter dated May 4, 1920, addressed to Mr. A. B. Fletcher, Highway Engineer of applicant, from Mr. J. W. Williams, Chief Engineer of said railroad, which states that either a right angle crossing or a skew crossing would be acceptable to the railroad, and that the railroad would be willing to furnish, erect, paint and maintain the steel super-structure. Applicant states that it prefers the skew crossing to the right angle crossing for the reason that, from its standpoint, expensive road protection is avoided.

O R D E R

The people of the State of California, on relation of the Department of Engineering, having on February 21, 1921, made application to the Commission for permission to construct a State Highway under the tracks of the Northwestern Pacific Railroad Company, a corporation 3.4 miles north of Arnold, Mendocino County, California, just north of Outlet Creek and at Engineers' Station 178 plus 33.85 of said railroad, as shown by the plans attached to the application, both parties having agreed that the application be granted and to the division of cost of constructing said crossing, and it appearing to the Commission that a public hearing is not necessary and that this application should be granted under certain conditions hereinafter specified,

IT IS HEREBY ORDERED, that the people of the State of California, on relation of the Department of Engineering, be and the same is hereby authorized to construct a State Highway under the tracks of the Northwestern Pacific Railroad Company at or near the point shown on the plans attached to said application and as set forth above, subject to the following conditions and not otherwise:

1. The crossing shall be constructed so that the State Highway will be on an angle of approximately 52 degrees with the center line of the railroad track.
2. The entire expense of installation and maintenance of the steel super-structure shall be borne by Northwestern Pacific Railroad Company.
3. All other expenses in connection with the installation and maintenance of said crossing shall be borne by applicant.
4. All provisions of this Commission's General Order No.26 pertinent in this matter shall be complied with .
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 to revoke its permission if in its judgment the public convenience and necessity demand such action.

Dated at San Francisco, California, this 4th day of ~~February~~ ^{March}, 1921.

Frank D. Smith
H. D. Donald
H. M. B. ...
Charles H. ...

Commissioners.