

Decision No. 7328

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of the Board of Supervisors of the County of Sacramento, State of California, for permission to construct a public road at grade across the tracks of the Western Pacific Railroad Company on the section line between sections 16 and 21, T. 5 N., R. 5 E., M. D. B. and M., Sacramento County, California.

Application No. 6849.

ORIGINAL

By the Commission:

ORDER

The Board of Supervisors of the County of Sacramento, State of California, having on May 23rd, 1921, filed with the Commission an application for permission to construct a public road at grade across the tracks of the Western Pacific Railroad Company near Glannvale 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 Western Pacific Railroad Company 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 grade crossings 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 Board of Supervisors of the County of Sacramento, State of California, to construct a road at grade across the tracks of the

Western Pacific Railroad Company, said road being on the section line between Sections 16 and 21, T. 5 N., R. 5 E., M. D. B. and M., as shown on 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 the applicant. The cost of its maintenance up to a line two (2) feet outside the rails shall be borne by the applicant. The maintenance of that portion of the crossing between the rails and two (2) feet outside thereof shall be borne by the Western Pacific Railroad Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of approximately eighty-five (85) degrees to the railroad and with grade of approach not greater than four (4) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) The existing road crossing located on the north and south quarter section line of Section 21, T. 5 N., R. 5 E., M. D. B. and M. over the track of said Western Pacific Railroad Company and located fourteen hundred and thirty-two (1432) feet south of the one-quarter ($\frac{1}{4}$) section corner common to said Sections 16 and 21, shall be closed and abandoned to public use and travel.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(5) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(6) The Commission reserves the right to make such

further orders relative to the location, construction, operation, maintenance and protection of said crossing as 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 5th day of August, 1921.

H. B. ...

H. ...

Driving Master

L. J. ...

Commissioners.