

Decision No. 25962.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the
County of Santa Barbara to change one
Grade Crossing of Modoc Road over the
Southern Pacific Railroad to a Point
320.0 feet more or less easterly there-
of and to eliminate one Grade Crossing
of Modoc Road about 400 feet easterly
of Central or La Cumbre Avenue, in the
County of Santa Barbara, State of
California.

Application No. 18823.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Santa Barbara, State of California, on April 17, 1933, applied for authority to construct a public road at grade across the main line track of Southern Pacific Company in the vicinity of Hope Ranch Station in said County of Santa Barbara.

Applicant proposes to make major highway changes in this vicinity, to eliminate two grade crossings of Modoc Road, an important county road, and to install a grade crossing for local use only. Southern Pacific Company, on May 5, 1933, signified, in writing, that it has no objection to the construction of said crossing at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing with said track at the point mentioned and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the Board of Supervisors of the

County of Santa Barbara, State of California, is hereby authorized to construct a county road at grade across the track of Southern Pacific Company, at the location more particularly described in the application and as shown by the maps (Exhibits "A" and "B") attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. E-367.7.
- (2) The entire expense of constructing and thereafter maintaining the crossing shall be borne in accordance with an agreement to be entered into between applicant and Southern Pacific Company. Applicant shall file with the Commission a certified copy of said agreement within one hundred and twenty (120) days of the date hereof. Should said agreement not be filed within the above stated time and further time be not granted by subsequent order, said costs will be apportioned by supplemental order herein.
- (3) The crossing shall be constructed of a width of not less than twenty-four (24) feet and at an angle of approximately ninety (90) degrees to the railroad and with grades of approach not greater than four (4) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; shall be protected by a Standard No. 1 crossing sign, as specified in our General Order No. 75-A, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Prior to the beginning of actual construction of the crossing herein authorized, applicant shall file with this Commission a certified copy of an appropriate ordinance or resolution, duly and regularly passed, instituting all necessary steps to legally abandon and effectively close the two existing public grade crossings of Modoc Road across the main line track of Southern Pacific Company, located at Southern Pacific Company's Station 4471 plus 97.3 (Crossing No. E-366.9) and at Southern Pacific Company's Station 4429 plus or minus (Crossing No. E-367.6). Upon the completion of the crossing herein authorized and upon its being opened to public use and travel, said Crossings Nos. E-366.9 and E-367.6 shall be legally abandoned and effectively closed to public use and travel.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.

- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.
- (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 to revoke its permission if, in its judgment, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 27th day of May, 1933.

C. Deane
Leon S. ...
W. A. ...
M. B. ...
W. H. ...
Commissioners.