

Decision No. 26086.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of the people of the State of California, on relation of the Department of Public Works, for an order authorizing the construction of a crossing at separated grades of the State highway and the Northwestern Pacific Railroad near Hopland, in Mendocino County.

Application No. 18830.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on April 21st, 1933, applied for authority to construct a State highway known as Road IV-Men-1-L, at separated grade over the main line track of Northwestern Pacific Railroad Company in the vicinity of Hopland, County of Mendocino, State of California. Applicant and Northwestern Pacific Railroad Company signified, in writing, that they are in agreement with regard to the apportionment of cost of said grade separation. It appearing that a public hearing is not necessary herein; that it is in the interest of public convenience and necessity that said overgrade crossing be constructed and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, are hereby authorized to construct a State highway known as Road IV-Men-1-L at separated grade over the main line track of Northwestern Pacific Railroad Company in the vicinity of Hopland, County of Mendocino, State of California, at the location and substantially in accordance with the plan as shown by the map

(Exhibit "A") attached to the application, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. 5-98.7-A.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public shall be borne in accordance with an agreement to be entered into between applicant and Northwestern Pacific Railroad Company, a certified copy of which shall be filed with this Commission within one hundred and twenty (120) days from the date hereof. Should said agreement not be filed within the above time and further time not be granted by subsequent order said costs will be apportioned by supplemental order herein.
- (3) Applicant shall file, within one hundred and twenty (120) days from the date hereof and prior to the commencement of construction, a set of plans for said crossing, which plans shall have been approved by Northwestern Pacific Railroad Company.
- (4) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (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.

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

Dated at San Francisco, California, this 19th day of June, 1933.

C. S. Deane
Leon Aubrey
M. J. Lane
W. B. Harris
W. H. Brown
Commissioners.