

Decision No. 28689

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of  
NORTHWESTERN PACIFIC RAILROAD  
COMPANY for an order authorizing  
the construction at grade of a  
side track across State Highway  
No. 8 in the unincorporated town  
of Schellville, Sonoma County,  
California.

Application No. 19247.

**ORIGINAL**

BY THE COMMISSION:

ORDER

Northwestern Pacific Railroad Company, a corporation, on December 23, 1933, applied for authority to construct a side track at grade across State Highway No. 8 in the Town of Schellville, County of Sonoma, State of California. The necessary franchise or permit (Permit No. 40571) has been granted by the Department of Public Works, Division of Highways for the construction of said crossing at grade.

Applicant alleges that the construction of said track is necessary to facilitate the operation of its freight trains. 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 at the point mentioned and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that Northwestern Pacific Railroad Company is hereby authorized to construct a side track at grade across State Highway No. 8, in the Town of Schellville, County of

Sonoma, State of California, at the location more particularly described in the application and as shown by the maps (Drawing No. D-3719) attached thereto, subject to the following conditions:

1. The above crossing of State Highway No. 8 shall be identified as a portion of Crossing No. 5H-40.4.
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 by applicant.
3. Said crossing shall be constructed equal or superior to the type shown as Standard No. 3-B, in our General Order No. 72, and shall be constructed without superelevation and of a width to conform to that portion of said highway now graded, with the tops of rails at same elevation as branch line rails and flush with the pavement and with grades of approach not exceeding three (3) per cent, and shall be protected by two Standard No. 1 crossing signs as specified in our General Order No. 75-A.
4. Applicant shall remove the track shown in yellow on the map (Drawing No. D-3719) attached to the application in so far as it lies in State Highway No. 8 and shall repair the roadway to conform to the remainder thereof.
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 29<sup>th</sup> day of December, 1933.

W. J. Lacey  
Leon O'Connell  
M. H. Orr  
M. B. Harris

Commissioners.