

CONFIDENTIAL

Decision No. 27054.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of the Board of Supervisors of
the COUNTY OF TUOLUMNE, STATE OF
CALIFORNIA, for authorization to
construct a Public Highway across
a railroad.

Application No. 19392.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Tuolumne, State of California, on April 9, 1934, applied for authority to construct a public road known as the La Grange Road at grade across the track of Sierra Railway of California, in the vicinity of the Station of Keystone. Sierra Railway of California, on April 17, 1934, 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,

IT IS HEREBY ORDERED that the Board of Supervisors of the County of Tuolumne, State of California, are hereby authorized to construct a county road, known as the La Grange Road,

at grade across the track of Sierra Railway of California, at the location more particularly described in the application and as shown by the map attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 39-29.4.
- (2) The entire expense of constructing the crossing shall be borne as follows:
 - (a) Applicant shall, at its sole expense, furnish all material.
 - (b) Sierra Railway of California shall, at its sole expense, supply all of the labor. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Sierra Railway of California.
- (3) The crossing shall be constructed of a width of not less than twenty-four (24) feet and at an angle of approximately forty (40) degrees to the railroad and with grades of approach not greater than six (6) 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 three (3) Standard No. 1 crossing signs, 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 to vehicular traffic the existing public grade crossing at the station of Keystone and identified as Crossing No. 39-29.0. Upon the completion of the crossing herein authorized and upon its being opened to public use and travel applicant shall legally abandon and effectively close to all vehicular traffic Crossing No. 39-29.0 and provide thereat a crossing for the movement of livestock only.

- (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 14th day of May, 1934.

CL Seaver
Leon Whitely
W. A. Carr
W. B. Flannery
Walter H. Hare

Commissioners.