

Decision No. 27697.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of  
NEVADA COUNTY NARROW GAUGE R.R. CO.  
for permission to construct, maintain  
and operate a spur track at grade  
across the old Grass Valley-Nevada  
City county road at plant of the Idaho  
Maryland Mines Company, Nevada County,  
State of California.

**ORIGINAL**

Application No. 19423.

BY THE COMMISSION:

ORDER

Nevada County Narrow Gauge Railroad Company, on May 1, 1934, applied for authority to construct a spur track at grade across the old Grass Valley-Nevada City County Road to serve the Idaho-Maryland Mines Company in the County of Nevada, State of California. Through inadvertence, applicant constructed said crossing before applying to this Commission for authority. In view of the fact that the crossing has been constructed, it appears that the County of Nevada is agreeable to its construction.

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 Nevada County Narrow Gauge Railroad Company is hereby authorized to maintain a spur track

at grade across the old Grass Valley-Nevada City County Road to serve the Idaho-Maryland Mines Company in the County of Nevada, State of California, at the location 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. 50-16.5-C.
- (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. 2, in our General Order No. 72, and shall be constructed of a width to conform to that portion of said road now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding four (4) per cent, and shall be protected by a Standard No. 1 crossing sign, as specified in our General Order No. 75-A.
- (4) 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.
- (5) 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.
- (6) 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 28<sup>th</sup> day  
of May, 1934.

C. C. C. C.  
Leon A. C. C.  
M. A. C.  
M. B. C.  
M. C. C.

Commissioners.